

# WASTE & MATERIALS MANAGEMENT STUDY GROUP – Notes: August 16, 2017

Location: DNR Fitchburg Service Center


Member Attendance:  Albee,  Curry,  Doverspike/SWANA,  Johnson,  Karwoski,  Meyer Smith,  Morgan,  Nickodem/AROW,  Sexton,  
 Welch/WCSWMA

DNR Attendance:  Lamensky,  Semrau,  Sponseller,  Van Rossum

Subs/Guests/Speakers: Lee Daigle, Cornerstone; Renee Bashel, DNR; Ariana Mankerian, DNR; Dave Hagenbucher, Marathon County; Lindsey Carlson, Marathon County; Joe Lourigan, DNR; Kenny Bergschultz, Weaver Consultants; Betsy Powers, SCS Engineers; Marissa Schatz, DNR; John Reindl, retired, Dane County.

Time/ Presenter	Topic	Follow-up/Notes
9:30 Meleesa & Chad	<b>Agenda &amp; Notes</b>	<ul style="list-style-type: none"> <li>Notes from 6/6/17 were approved (vote: 7:0). Finalized notes can be found <a href="#">here</a> on the WMM website.</li> </ul>
9:45 Joe Van Rossum	<b>DNR Updates</b>	<p>Staffing</p> <ul style="list-style-type: none"> <li>Natasha Gwidt began on 7/24 as the Waste and Materials Management (WMM) Program’s Field Operations Director. She will be based in the Green Bay office. Previously, Natasha worked as a Supervisor and Project Manager for the WI DOT.</li> <li>Lynn Q: What does the Field Operations Director position entail?</li> <li>Joe A: Position ensures consistency amongst the regions, deals with compliance issues and supervises the four regional supervisors.</li> <li>There is an open, on-going recruitment for hydrogeologists.</li> <li>Three Environmental Program Associates (EPAs) have been hired; EPAs provide customer and staff support as the first point of contact in the regions and handling Collection and Transportation (C&amp;T) licensing.</li> <li>Recruitment is planned for the three vacant section chiefs and NE region supervisor; the Business Services and IT Section Chief position is in currently in the interview phase.</li> <li>Three regional hazardous waste management specialist positions will also be filled in the coming months.</li> </ul> <p>Programs</p> <ul style="list-style-type: none"> <li>Recycling Excellence Awards nomination period is now open, with an application deadline of 8/31.</li> <li>WMM is currently evaluating the EPA’s Coal Combustion Residual (CCR) rule, which allows state to take on permitting. DNR may adopt the rule ‘in whole’ or ‘in part.’ CCR rule applies to monofills only, not MSW sites. If DNR does rulemaking on this topic, it will likely seek WMM Study Group guidance.</li> <li>Another focus is extending the RD&amp;D rule from current 12 years to 21 years.</li> <li>Lynn Q: How confident can programs be that this will be done?</li> <li>Joe A: It is a priority issue, however it is difficult to specify a timeline. Maybe two years?</li> <li>Lynn Q: Would DNR consider an emergency rule?</li> <li>Joe A: Not sure.</li> </ul>

		<ul style="list-style-type: none"> <li>• Meleesa: this is an important issue for landfills, as decisions could be based on the extension.</li> <li>• Joe: Regardless, there will be an end, even if extended, so sites need to plan for this.</li> <li>• Optional use reporting forms for category 30 and 31 residuals are now available.</li> <li>• Streamlining of the wood waste processor application is in progress; thanks to John Welch for his review.</li> <li>• A deer carcass acceptance survey will be upcoming; it is a department goal to identify disposal locations in all 72 counties.</li> <li>• John: DNR provided partial indemnification for acceptance of CWD waste which was appreciated, but then restricted leachate recirculation and gas wells from within 50 feet of known CWD disposal areas. This is why Dane County ceased to accept CWD waste.</li> <li>• Joe: there will be an area on the survey to provide comments to the department such as this.</li> </ul> <p>Budget</p> <ul style="list-style-type: none"> <li>• The State budget is still in process; it is a positive sign that DNR hiring processes are not stalled by the lack of a budget.</li> <li>• Jennifer: recycling grant application period was delayed by approximately 2-3 weeks due to budget uncertainty, but applications are currently being accepted.</li> </ul> <p>Guidance Documents</p> <ul style="list-style-type: none"> <li>• Clean Soil Guidance – Changes were made based on original public comment period. Revised guidance will go back out for a second round of public comments.</li> <li>• Alternative Glass Use Options for MRFs and Managing Container Glass in Accordance with Wisconsin’s Land Disposal Ban- posted for public comment until 8/22.</li> <li>• Ecycle Collectors Guidance – This guidance is to make sure the program is not counting material twice and keeping nonresidential and residential material separate.</li> <li>• Finalized guidance includes Category 30 and 31 Fee Exemptions and Third Party Clean-Up of Solid Waste.</li> </ul>
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<p>10:15 Tom</p>	<p><b>Reducing or Terminating Groundwater Monitoring at Closed Landfills Subgroup – Proposal for Group Feedback</b></p>  <p>WDNR_WMM_SubCom_Update_170815.ppt</p>	<ul style="list-style-type: none"> <li>• Tom: Closed landfill statistics in presentation are from Mike Solomon, DNR from GEMS. Joe Lourigan clarified this reflects the number of landfills which report GEMS data, not the totality of all closed landfill sites. Tom could do additional site exclusions, but there would still be hundreds of sites.</li> <li>• Meleesa Q: Is data available on how many years since the site closed?</li> <li>• Joe L. A: This data is not in GEMS.</li> <li>• Subcommittee suggestions would not apply to subtitle D landfills with semi-annual monitoring, landfills under “assessment monitoring,” nor landfills undergoing remediation.</li> <li>• 2014 guidance did not provide guidance on reducing the size of the monitoring network nor elimination of specific parameters.</li> <li>• The concept of a DNR hydro review committee would not be in the guidance itself, but its utilization would be beneficial to review new or precedent-setting decisions for consistency.</li> <li>• Amber Q: Would the review committee consist of non-DNR staff?</li> <li>• Joe L. A: No, but may include hydros from other non-WMM programs.</li> <li>• John: Sees pluses and minuses with the review committee approach. On one hand, if a single reviewer</li> </ul>
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		<p>is ultra-conservative it could stall a reduction or termination in monitoring. On the other hand, a review committee adds an additional layer to the decision-making process.</p> <ul style="list-style-type: none"> <li>• Tom: While that is true, consistency is critically important.</li> <li>• Lynn: Appreciates the intra-agency coordination of the review committee concept. In addition, Lynn reminded the group that this is just guidance and if it is not working, it could be changed.</li> <li>• Joe L.: The notification of DNR and landfill staff is especially important when monitoring is reduced to less than annual, so things do not fall through the cracks with staff turnover and the like.</li> <li>• Meleesa Q: Is notification to neighbors included when monitoring is reduced or terminated?</li> <li>• Joe L. A: That is not addressed, but proximity of private water supply wells is a consideration.</li> <li>• Originally, the goal was to simplify or shorten the 2014 guidance; however the subgroup realized if landfills want clarity, more details (not less) are needed. Landfills would like to know in advance if it makes sense to proceed prior to devoting time, money and resources. Therefore, the first step after reviewing the guidance should be to call a DNR hydro.</li> <li>• When subgroup members reviewed guidance/regulation from other states, they did not find a lot of comparable information from Midwest states.</li> <li>• Revised guidance includes what would need to be done to reduce the number of wells and reduce testing parameters. It also softened the warning language about a potential increase in monitoring.</li> <li>• Tom Q: Does the study group want additional time to review the guidance or may it go to the DNR hydros for review? Consensus A: Can go to hydros now as there will be additional opportunity to provide input during public comment period.</li> <li>• Meleesa Q: Should this be presented at WIRMC? Consensus A: Yes, and Tom will submit the abstract.</li> <li>• Lynn: Remediation and Redevelopment does consultant calls on special topics; perhaps WMM should consider that as well.</li> <li>• Joe VR: the Solid Waste Interested Parties meeting in the fall will be another opportunity.</li> <li>• Tom will share the final draft with the Iowa DNR.</li> <li>• Lynn Q: Is proximity to private wells in the guidance? John A: Yes.</li> <li>• Joe L: GIS information is provided to well drillers, but exemptions are sometimes applied for and granted. There are also issues with long-ago closed sites, and the knowledge gap that there was ever a landfill there. Local government can help this with zoning, purchasing land and/or buffers.</li> </ul>
<p>11:15 Chad/John</p>	<p><b>Alternative Landfill Caps Subgroup- Proposal for Group Feedback</b></p>	<ul style="list-style-type: none"> <li>• Chad reviewed members of the subgroup. Kenny Bergschultz and Betsy Powers were present. Subgroup feels all recommendations are achievable, practical and beneficial.</li> <li>• John: There are roadblocks in existing regulations. What is the intent of the cap? Alternative caps directly conflict with the organic stability rule.</li> <li>• Chad Q: Should resumes of staff involved be included? Meleesa A: No, but cite their work or applied research in a reference or bibliography section.</li> <li>• Meleesa Q: Should recommendation #1 be for DNR to develop guidance or the subgroup?</li> <li>• Chad A: DNR should draft; subgroup would comment.</li> <li>• Meleesa: Respectfully disagrees, noting the work of the Reducing or Terminating Groundwater Monitoring at Closed Landfills Subgroup.</li> </ul>



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- John: Re: recommendation #2, Craig Benson, University of Virginia has a lot of research/data on model infiltration.
- John Re: recommendation #3, subgroup realizes a lot of this comes from the EPA/federal government. Benson's research shows infiltration of 100 milliliters/year at similar climates versus the 5-9 milliliters/year.
- John: Re: recommendation #7 may require the use of temporary caps. Kenny: Also consider the age of waste, settling and meshing of final covers.
- Lynn: Recommends including an executive summary at the beginning of the document and forwarding the recommendations to WMM bureau staff (not the Secretary's office).
- Meleesa Q: What is the priority? John: Short and long-term goals were discussed, but the subgroup opted not to categorize recommendations in that way. Chad: Recommendations #6, 7, and 8 may be less achievable.
- Joe: Guidance can describe/clarify existing rules or statute- not write new rules.
- Meleesa Q: Has there been outreach to EPA? Joe A: DNR recently attended EPA Region 5's annual Subtitle D and SMM meeting; no other states are considering ET caps.
- Joe: Is a lack of guidance holding back alternative caps or is a lack of a project proposal holding back guidance? Chicken or the egg?
- Chad: MI recently allowed alternative cap of 7-8 feet of clay; Outagamie County, WI is interested in something similar.
- John: A program can spend a lot of money, only to have their proposal not approved.
- Joe: Code is dated; construction has advanced faster than code revisions.
- Lynn: Can the department keep this in mind when NR 500 is opened up?
- Joe: People want code to be flexible and specific, equitable and provide known outcomes. It is a challenge.
- Chad: Subgroup will revise document to remove Cathy Stepp, add an Executive Summary and citations, and mark it 'draft.'
- Meleesa and John will forward to others for comments.
- Joe: If this guidance drafting is prioritized by the department, something else must, as a result, be de-prioritized.
- Meleesa Q: Can implications of this be shared with WMM Study Group at next meeting? Joe A: Valerie Joosten, Joe L. and Casey are going through all solid waste guidance to establish priorities; this may not be completed by Oct.
- Joe: WMM program is trying to be honest in staff hour workplanning. Incoming submittals take a great deal of time; code requires timely responses. Therefore guidance development time is less.
- Meleesa: These staff time limitations are precisely why she suggested the subgroup do more drafting of the guidance and not rely on DNR staff to draft.
- Joe: It would be helpful to have the subgroup address 'what is the regulatory pathway forward?' This would be the first step of DNR staff guidance drafters.

<p>12:00 All</p>	<p style="text-align: center;"><b>Subgroup Updates</b></p> <p style="text-align: center;"></p> <p style="text-align: center;">WMM Study Group FORRM Handout Aug 1</p>	<p>C&amp;D (John):</p> <ul style="list-style-type: none"> <li>• Subgroup met on 7/28.</li> <li>• There are currently no C&amp;D landfill operations represented on the subgroup.</li> <li>• Bart put together a draft letter to C&amp;D landfill owners he works with; subgroup felt it was more appropriate for the invitation to come from the subgroup. Some of the specific potential recommendations were removed to make the invitation letter more general. Subgroup members are providing comments to John. When finalized, several of the consultants on the subgroup will identify potential additional members.</li> <li>• C&amp;D recycling has been focusing on model ordinances. Contractors plead ignorance; perhaps a way around this is to have contractors pre-approved. A fee collected could pay for spot audits, as enforcement is necessary to be effective. Additional discussion of bad actor laws.</li> <li>• Another focus is higher end uses for wood and C&amp;D fines. The wood boiler fuel market is poor due to air regulatory concerns and the low price of natural gas. Could wood recyclers take on more of the burden for having their material approved for boilers (as boiler operators have little incentive)? DNR air staff will be invited to an upcoming meeting.</li> <li>• John has outreached to the Recycling Materials Resource Center on the potential of C&amp;D fines research. They have done previous work on shingles in roadway use.</li> <li>• Chad: the wood market issue is significant. John: Alternative markets exist such as filter socks, mulch and animal bedding, but these are not suitable for painted wood.</li> </ul> <p>Recycling Innovations (Amber):</p> <ul style="list-style-type: none"> <li>• Initial focus of the group was on recycling grant funding.</li> <li>• Now group is focused on the upcoming 30 year anniversary of the recycling program (1989-2019) and using that milestone to ‘rebrand’ recycling, highlight successes and engage in conversations on how to change/reinvigorate the program.</li> <li>• Discussion has occurred on industry presence on the subgroup. Funds would be needed to promote the 30 year anniversary, potentially from public/private partnerships.</li> <li>• New 3Rs from Reduce, Reuse, Recycle to Reinvest, Re-enforce, Renew.</li> <li>• Meleesa: What is the next story to tell? Recycling has become commonplace, progress stalled.</li> <li>• Subgroup was struggling with defining other mechanisms by which to quantitatively measure recycling success (beyond weights).</li> <li>• Subgroup determined there were already enough resources between the FOWRD report, Recycling Means Business, ISRI, etc. highlighting the economic impacts/benefits of recycling, but promotion of such is needed.</li> </ul> <p>FORRM (Dave Hagenbucher):</p> <ul style="list-style-type: none"> <li>• While a landfill ban would be the most effective, that is not realistic at this time. FORRM focusing on ‘normalizing’ composting.</li> <li>• Dave Barbier, UWSP, will frame out potential graduate student project.</li> </ul>
<p>12:35 All</p>	<p style="text-align: center;"><b>Next Meeting/ Adjourn</b></p>	<ul style="list-style-type: none"> <li>• Oct. 10, 2017 from 1:00 p.m. to 4:00 p.m. at the Portage County Library, 1001 Main St, Steven’s Point in the Pinery Room.</li> <li>• Solid Waste Interested Parties meeting will occur at the same location in the morning.</li> </ul>