

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL
June 16, 2004
HENRICO TRAINING CENTER
GLEN ALLEN, VIRGINIA

10:30 AM to 12:30 PM

MEETING MINUTES

1. Welcome and Introductions:

Mike Benedetto, RMDC Chair, called the meeting to order and welcomed the members of the Virginia Recycling Markets Development Council and members of the public to the meeting.

RMDC	Representing	Staff	Representing
Philip Abraham	Plastics Industry	Steve Coe	DEQ
Michael Benedetto	Paper Industry	Allan Lassiter	DEQ
Edward Duke	Recycling Industry	William Norris	DEQ
Diane Jones	Rural PDC		
Robert Kerlinger	Composting Industry		
John Kline	Tire Industry	Visitors	Representing
Richard Lerner	Metal Industry	Andrew Bopp	Glass Industry
Brian Salmon	Aluminum Industry	Debbie Devine	SPSA
Tom Smith	VACO	Chip Goyette	Arlington County
Michael Ward	Oil Industry	Kate Sicola	Fairfax County
		Woody VanValkenburgh	VA Coalition of Goodwills
William Bailey	VDOT	Steve Yob	Henrico County
Georgiana Ball	VDGS		
Michael Murphy	VDEQ		
William Vehrs	VDBA		
Absent RMDC			
Eddie Schneider	Waste Industry		
VACANT	Glass Industry		
Paige Holloway	Public-At-Large		
VACANT	Urban PDC		
VACANT	VML		

2. **Determining Quorum**

A quorum for the Virginia RMDC has been established as a simple majority of the appointed members to the Council. The Council is fully represented by 15 appointed members. Therefore a minimum of 8 members must be present to establish a quorum. A total of 8 of the appointed members were in attendance at the start of the meeting. Therefore, the Chairman determined that a quorum existed for the meeting.

3. **Acceptance of Agenda**

The Chair asked the committee members to review the meeting agenda. No objections were raised so the agenda was accepted.

4. **Acceptance of Minutes**

The Chair called for the pleasure of the Council on the draft meeting summary of the March 25, 2004 meeting of the RMDC. P. Abraham made a motion that the minutes be approved. R. Lerner seconded the motion. The minutes were approved as presented.

5. **Old Business**

5.a **Chairman's Report:**

M. Benedetto thanked Mike Ward for arranging for the presentation by Hobey Bauhan, President of the Virginia Poultry Federation at the last meeting.

5.b Subcommittee Reports: M. Benedetto asked for any subcommittee reports.

Recycling Rate Subcommittee: M. Murphy informed the Council that he and R. Lerner, Chair of the Subcommittee had not met. He informed the members that all of the CY 2003 Recycling Rate Reports had been submitted and that DEQ staff was currently reviewing those submittals. He noted that once these reports are reviewed and have been compiled that this information would be made available to the Council. He reminded the members that new Solid Waste Management Plans were due from each Solid Waste Management Planning Unit on July 1, 2004 and that part of the new regulations requires that part of the approved plan is an approved recycling program that meets the state mandated 25% recycling rate. A. Lassiter reported that DEQ staff had reviewed the CY 2003 Recycling Rate Reports submitted by the 19 Localities and/or Solid Waste Planning Units that failed to make the 25% mandate for CY 2002. He distributed a list of those 19 and their associated rates for CY 2002 and CY 2003 and

noted that none of the 19 met the 25% rate for CY 2003, either. He noted that staff would be providing the entire Recycling Rate Report review with any identified trends at the next meeting of the RMDC.

P. Abraham asked what were the penalties for localities/Solid Waste Management Planning Units that did not make the 25% mandated Recycling Rate? A. Lassiter noted that failure to make the 25% rate violated both state statute and the Solid Waste Regulations. M. Murphy noted that failure to achieve the rate would result in a Solid Waste Management Plan not being approved or being conditionally approved. He noted that a locality had to have an approved plan before permits could be issued. It was noted that the Solid Waste Management Plan for Loudoun County had already been conditionally approved based on implementing their proposed recycling activities designed to meet the rate. P. Abraham asked about exemptions to meeting the rate. Staff responded that there were market conditions exemptions or variances that were identified in the law that a locality could seek.

M. Ward asked if there was any communication with those localities/Solid Waste Management Planning Units that failed to make the 25% Rate for CY 2003? A. Lassiter responded that letters had been sent to the list of 19 localities that did not make the rate in CY 2002 with an evaluation of their CY 2003 Recycling Rate Report. He also noted that he would be working with the Waste Division initially on those 19 in evaluating the Recycling Program components of their Solid Waste Management Plans.

A. Lassiter also noted that one of the initial things that had been identified in both the Recycling Rate Reports and in the draft Solid Waste Assessment Reports was that the volume of waste generated had increased since last year's submittals.

Local Government Subcommittee: P. Abraham noted that he was interested in seeing the Local Government Subcommittee assist localities with addressing the recycling mandate and possible market condition exemptions. He noted that the information contained in the Solid Waste Management Plans related to meeting the recycling rate and a locality's recycling program would be useful for the committee as well as the RMDC in the fulfillment of their duties and responsibilities. He informed the members that he would like to schedule a meeting of the Subcommittee sometime prior to the next regularly scheduled meeting of the Council. He also noted that EPA had requested some input regarding possible funding for recycling equipment. Staff noted that the responses to this request had been compiled and forwarded to EPA. Staff will provide a copy of those comments to the Subcommittee for their consideration. It was noted that Phil Abraham, Brian Salmon and Diane Jones were members of this subcommittee.

Annual Report Subcommittee: M. Benedetto informed currently that the Annual Report was not ready for submittal. Steve Coe was identified as the DEQ contact for the Council for information about submittal of the Annual Report. D. Jones indicated that she would work with Steve to pull together the materials for the report. M. Benedetto asked for input from each of the industry representatives and each of the Subcommittees for inclusion in the report. It was noted that according to the new legislation that this would be the last report required from the Council, unless one was specifically requested.

W. Vehrs made a motion for the Draft Report to be sent to M. Benedetto for approval and that if no legislative proposal were included that it could be approved for submittal. P. Abraham seconded the motion. The motion carried.

New Subcommittee Dealing with Poultry Litter: Mike Ward, Chair of the Subcommittee, noted that there are on going discussions with VDOT regarding the use of Poultry Litter in their Road Side Projects. VDOT is currently evaluated their specifications for the use of this material. He noted that Hobey Bauhan, Virginia Poultry Federation, was working closely with Jacob Porter, VDOT to evaluate the use of this material. B. Kerlinger noted that VDOT had accepted the use of Poultry Litter as a BMP alternative and that they were using the State of Texas' program as a blueprint and the US Compost Council Standard as the standard for the material. He noted that Texas currently has 23 companies that met the standard and that Virginia has only 2, but that a 3rd company is working on complying with the standard.

- 5.c Administrative and Operational Needs of RMDC:** DEQ staff presented a summary of the Administrative and Operational Needs that DEQ staff had been providing that the Council would have to perform/provide after July 1, 2004. DEQ offered to continue to provide the posting service for the RMDC meeting notices, minutes, etc. that are required.

P. Abraham noted that since the RMDC would have to start taking their own minutes/meeting notes after July 1, 2004, that the job should be rotated among the members so that not one person would be responsible for this task. The members agreed with this suggestion.

- 5.d Status of Vacant Council Positions:** DEQ staff noted that there are currently 4 positions that are deemed vacant on the RMDC due to personnel moves, health issues or other factors. Those are the Urban PDC, the Public at Large, the VML and the Glass Industry positions. It was noted that Andrew Bopp had been nominated to fill the Glass Industry position and that Chip Goyette had been nominated to fill the Urban PDC

slot but that no action had been taken by the Secretary of the Commonwealth on these nominations. P. Abraham suggested that Denise Thompson, with VML, would be a logical nomination for the VML position on the Council. A. Lassiter indicated that John Schlegel, with AERC, had indicated an interest in serving as the Electronics Industry representative on the Council. He also noted that the 5 Industry Representatives whose terms had already expired, Phil Abraham, Ed Duke, John Kline, Richard Lerner, and Brian Salmon, had all agreed to be re-appointed. He also noted that he planned to get in touch with the Secretary of the Commonwealth to discuss these vacancies and possible appointments.

D. Jones made a motion to nominate John Schlegel to fill the newly created Electronics Industry position on the RMDC and to forward his name for consideration to the Secretary of the Commonwealth. G. Ball seconded the motion. The motion carried.

6. New Business

6.a E-Waste: Allen Lassiter provided the members with information on DEQ's Electronic Waste (E-Waste) Management Activities. He informed the Council that E-Waste Advisory Committee to assist Virginia state agencies, localities and citizens in the proper handling of electronic wastes (e-waste) such as computers and related peripherals, audio units, cell phones and televisions had held their first meeting on April 27, 2004 at DEQ's Piedmont Regional Office. He distributed a list of the E-Waste Committee members and notes/minutes from their first meeting. He noted that a summary document of Guiding Principles had been developed and was currently under review. He proposed presenting that document to the Council at their next meeting.

6.b Nominating Committee: M. Benedetto recommended that a nomination committee be established to identify possible candidates for Chair and Vice-Chair of the Council. He indicated that it was time for new blood and that he and D. Jones would not be seeking reappointment to those positions.

P. Abraham made a motion that Mike Benedetto and Diane Jones serve as the Nominating Committee. M. Ward seconded the motion. The motion carried.

7. Public Comment

Steve Yob, representing Henrico County, indicated that any guidance that could be provided on how to deal with electronic waste would be most beneficial.

There is a need for information that can be distributed to the public to address their concerns about electronic waste.

Kate Sicola, representing Fairfax County, stated that her concern was the volume of electronic waste that was being hoarded at home by consumers.

8. Other Comments

M. Benedetto asked about the status of the plastics industry. P. Abraham responded that the amount that was being paid for plastics is good but that a lot of the material is being exported to China. The industry is having a harder time getting the material that it needs.

R. Kerlinger asked about Container recycling and "Pay-As-You-Throw" programs. M. Murphy responded that he had not heard of anyone currently advocating a "Pay-As-You-Throw" program and noted that even in California where such a program is in place that their recycling rate for these materials is dropping. T. Smith commented that for this type of program to be work that "tipping" fees had to increase.

T. Smith asked about the Glass Industry. A. Bopp commented that his organization was currently involved with a number of grants in California to study collection streams and their impact on the collection of glass. The members commented that most of the glass that was being collected was mixed, broken and was being crushed and used for landfill roadbed fill. It was noted that very little of it was actually making it back to the Glass Industry. A. Bopp noted that the Glass Manufacturing Industry Council had recently formed a Glass Recycling Division to look at the issue of alternative uses for Cullet.

S. Coe distributed a handout of informational items.

9. Meeting Schedule

M. Benedetto asked for the pleasure of the Council for the next meeting. Wednesday, September 29, 2004 was set as the next RMDC meeting date. The meeting will take place at the Henrico Training Center. The meeting is scheduled from 10:30 AM till 12:30 PM.

10. Adjourn

M. Ward made a motion to adjourn the meeting. B. Kerlinger seconded the motion. The Chair adjourned the meeting at approximately 12:10 PM.