

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL
December 1, 2010

10:00 AM
DEQ Piedmont Office
Glen Allen, VA
MINUTES
 Adopted January 5, 2011

1. Welcome and Introductions:

Jimmy Sisson, RMDC Chair, called the meeting to order at 10:15 A.M. and welcomed everyone and asked the members of the Virginia Recycling Markets Development Council and guests to introduce themselves.

2. Determination of a Quorum:

Chairman Sisson noted that there were seven voting members present and he declared that there was a quorum. Those who were present for some or all of the meeting are noted below:

RMDC	Representing	Absent RMDC	Representing
Kevin Byrnes	Urban PDC	Michael Ward	Oil Industry
Jimmy Sisson – Chair	Recycling	Toby Edwards	Rural PDC
Phillip Abraham,	Plastics Industry	John-Kemper Garrett	Glass
Bernard Harris – Vice Chair	Waste Industry	Tom Smith	VACO
Christopher Ambrose	Electronics Industry	VACANT	VML
John Kline	Tires	VACANT	Aluminum Industry
Jerome Segovia	Public at Large	Robert Broom	Composting Industry
William Bailey	VDOT	Richard Lerner	Metal Industry
Leslie Beckwith	VDEQ	Michael Benedetto	Paper Industry
Steve Coe	VDEQ	William Vehrs	VDBA
		Brad Crawford	VDGS

Visitors	Representing
Katie Vasquez	Virginia Recycling Association

3. Approval of Agenda:

Mr. Byrnes indicated that he would like to revise the agenda to add the Nominating Committee Report under new business. Mr. Kline moved to accept the change to the agenda. It was seconded by Mr. Harris and approved by the committee.

4. Approval of Minutes:

Mr. Coe noted that the representative from the Electronics Industry is Chris Ambrose and the minutes should be revised to reflect that. Additionally he pointed out that while Ms. Beckwith often attends the meetings, the DEQ has one member on the Committee and was represented by Mr. Coe at the November meeting so Ms. Beckwith should not be listed as absent in the minutes.

Minutes from the November 3, 2010 meeting were then reviewed with the changes. A motion was then by Phil Abraham to approve the minutes, seconded by Kevin Byrnes, and approved unanimously by the Council.

Chairman Sisson indicated he would make the changes to the minutes and thanked Mr. Byrnes for his note taking and preparation of the minutes.

5. DEQ Report:

Leslie Beckwith shared a copy of the official DEQ letter to the EPA commenting on the proposed changes to the EPA Rule Hazardous and Solid Waste Management System; Identification and Listing of Special Wastes; Disposal of Coal Combustion Residuals (CCRs) from Electric Utilities. She summarized the DEQ position in the letter to note that the EPA does not need to promulgate new legislation under either subtitle C or D. The DEQ does not support the proposed changes to subtitle C and does not fully support the proposed changes to subtitle D. Additional detail included in Appendix A to the letter and not distributed to the Committee members can be found on the DEQ web site.

Chairman Sisson indicated that he would distribute a copy of the November 18th letter from the committee to the DEQ on the subject. The Governor, Mr. Domenech and Mr. Paylor, as well as all of the Virginia Congressional delegates were copied on the letter.

Mr. Byrnes asked what the impact would be on the State Recycling Rate if the proposed regulations were to be adopted. Mr. Coe replied that it would be negligible statewide but would impact a few locations since the CCRs are included in the credit tonnage portion of the calculation which is capped at 5%.

Steve Coe then noted that he had contacted the Secretary of the Commonwealth's Office about nomination to the Committee but was unable to get a definitive answer on the status of them. In addition to the VML and Aluminum Industry vacancies, terms have expired for current representatives from the Paper Industry, the Oil Industry and VACO who will serve until replacements are appointed. Mr. Byrnes reported that he had contacted VML about that Vacancy. Mr. Coe indicated that he had contacted the Aluminum Association about identifying a candidate for that vacancy.

Mr. Abraham noted that the Markets Council is on the Govt. Reform Commission list of Boards and Councils to be considered for elimination and that might be affecting the process of approving nominations. Mr. Coe indicated that the DEQ had not been asked for input on the Council as yet as they had been on the previous occasion when the RMDC was proposed to be eliminate by JLARC recommendation.

It was noted that the Council should send a letter to Delegate Oder and Secretary Domenech explaining the Council's activity and the value to the Commonwealth. Mr. Byrnes suggested that Senator Watkins be copied also. Chairman Sisson also indicated that he would speak with Delegate Cosgrove about the issue.

Ms. Beckwith asked if the Council had an annual plan. Chairman Sisson indicated that one was not developed this year. Mr. Abraham noted that the December meeting is the appropriate time to develop a work plan to set goals for the upcoming year and that we could do that in this meeting when we get to New Business and include this in the letter.

6. Open Discussion of Council Charge:

Chairman Sisson mentioned the letter on the proposed EPA rule change and Mr. Kline expressed concern about the EPA's proposal to classify used tires as a Solid Waste. He indicated that it would hurt the recycling of the product since much of it is used as RDF and this use would be eliminated. It was noted that the EPA proposal to reclassify used oil would also negatively impact the recycling of that product. Mr. Coe indicated that these are not rules as yet but he anticipates that the EPA will publish comment during the first quarter and then probably approve the proposals. It was suggested that the Council send a letter to the Virginia Congressional delegates on this issue and Chairman Sisson asked Mr. Kline to draft a letter and send it to him for distribution. Mr. Abraham pointed out that this is an example of green jobs that would be lost if the EPA proposal were enacted.

Industry Reports:

As part of several industry updates, Mr. Ambrose noted that there is little or no collection of used electronics in Southwest Virginia with most of it going to landfills. There is a need for collection in this area which would create green jobs.

Chairman Sisson noted that the CDD recycling industry is suffering like many others in this economy due to low tip fees and the glut of wood fiber currently on the market, in part largely due to the closing of the IP facility in Franklin.

7. New Business:

Mr. Byrnes, in giving the Nominating Committee report noted that he, Mr. Benedetto and Mr. Coe had discussed the process and the board members' interest in search of a slate. After going through the process, a slate of Kevin Byrnes for Chairman and Bernie Harris was put forward. Chairman Sisson then opened the floor for any additional nominations. Mr. Abraham noted that historically the Council leadership pair usually consisted of one member from the public sector and one from the private sector and that this should be kept in mind going forward. He then seconded that slate as proposed by the committee and it was unanimously approved by the members.

A discussion then ensued of the direction for the Council and the development of a Work Plan. One of the items noted was to educate the committee that is studying the elimination of the various Boards and Councils about the value of the Council.

Chairman Sisson at the suggestion of Mr. Abraham summarized the charge of the Council:

1. Upon request, assist local governments achieve the recycling mandate
2. Identify State policies and procedures that are detrimental to recycling
3. Facilitate access to markets for recycled materials
4. Develop and update and annual plan

Mr. Abraham noted that following up on discussions from the November meeting, a feasibility study for a Southwest Virginia / Southside regional MRF would fit with Council objectives 1 and 3. The pursuit of a glass beneficiation facility would also fit with item 3 and both issues should be included in the Work Plan.

Mr. Abraham suggested one of the first tasks for next year should be the development of a letter on the impact of abolishing the Council.

Mr. Byrnes suggested that the Council cultivate its relationship with the VRA during the upcoming year.

The Work Plan identified for next year includes the following:

- Preparation & communication of a RMDC response to the recommendations of the State Government Reform Commission
- Determine the feasibility and identify possible funding, partnerships and location for a MRF(s) in Southwest Virginia / Southside.
- Pursue the establishment of a glass beneficiation facility in the state.
- Updates from the various markets as appropriate
- Communication with State Government, Congress & EPA on actions that affect State recycling activities and markets in Virginia
- Explore with Mr. Coe possible format or content changes to the State Recycling Rate Report.

Mr. Abraham moved that the Work Plan be adopted. Mr. Byrnes seconded it and the Council approved it unanimously.

9. Public Comment:

Ms. Vasquez thanked everyone for coming to the VRA conference and allowing many of the conference attendees to sit in on the Markets Council meeting.

Ms. Vasquez also noted the opportunities for the two groups to work together in the upcoming year. She pointed out that the Markets Council is the “Official Voice” of recycling in the state and the two groups together could be a strong advocate of recycling in Virginia . She suggested that VRA would look into changing the reference to their “Recycling Markets Development Council” to avoid confusion with the RMDC.

She reported that the NRVC has prepared White Papers (fact sheets) on recycling markets and eCycling to use in lobbying efforts during the upcoming legislative session. The objective of the eCycling paper is to point out that the recently enacted eCycling producer responsibility regulations may not have had the impact hoped for. The markets paper contrasts the Carolinas and Pennsylvania with Virginia on issues such as green job creation.

10. Schedule next meeting, location and adjourn:

After some discussion it was decided that the next meeting should be held January 5, 2011 at the Piedmont DEQ office at 10 am.

The second meeting will be April 13 (assuming it doesn't conflict with the Veto Session which is thought to be April 6).

At 11:45 Chairman Sisson adjourned the meeting.