

## **NOTES OF WORKING GROUP MEETING, MARCH 1, 2005**

The meeting was called to order at 9:10 a.m. by Terry Gray, co-chair.

Members present: Mark Adelman; Dan Beardsley; Carole Bell; Terri Bisson; Claude Cote; Patrick Fingliss; Tom Getz; Terrence Gray; Dante Ionata; Eugenia Marks; Mike McGonagle; Sherry Mulhearn; Steve Mutter; John O'Brien; John Trevor; Harold Ward.

Guests: Dixie Boucher, West Warwick Public Works Dept; Maria Broadbent, Newport Public Works Dept; Paul Caccia, RIRRC; Ray Silvia, Middletown Department of Public Works.

The Notes of the February 15 Working Group meeting were reviewed and set down.

Mr. Ward presented his paper, distributed to Working Group members at the meeting, entitled "Incentives for Reduced Disposal of Municipal Waste", dated March 1, 2005, which sets forth what the paper describes as, "Four steps toward an equitable policy for municipal waste disposal." Mr. Ward's proposal, which is similar to the procedure now used by RIRRC, is: [(per capita waste generation rate {WGR}) x (each municipality's population)] - the percentile diversion deduct, with municipalities that dispose up to their allocation charged \$32/ton and those whose trash exceeds their allocation charged the CSW contract rate. See Mr. Ward's attached proposal for details and the financial implications calculated for each municipality.

Mr. Ward said the principal objective of his proposal is to maximize diversion from landfilling which should also be the objective of the RIRRC. He said the specifics of how individual municipalities comply with their tonnage caps (or allocations) should be left to them. After Mr. Ward walked the meeting thru his paper, an extended discussion ensued of: 1) method of calculating the statewide WGR; 2) the method of calculating the Mun Cap; and 3) determination of each municipality's tip fee. Mr. Mutter, Mr. McGonagle, Ms. Marks, Mr. Beardsley, Ms. Mulhearn, Mr. Cote, Mr. Trevor, Mr. O'Brien and Ms. Broadbent also participated in this discussion. Ms. Marks agreed that conservation of landfill capacity is the most important issue in the WGR/Mun Cap/diversion/Mun Tip Fee discussion and is one of the most important issues confronting RIRRC.

Mr. Mutter supported the use of Diversion Rate rather than MRF Recycling Rate to determine the percentile deduction from the Mun Cap. He said the deduction should be reduced from 40% to 30% and achievement of maximum deduction should be stretched from 2010 to 2015. After considerable discussion of the constituents of the Mun Cap and WGR calculations and the phase-in period to achieve maximum deduction, Mr. McGonagle said the method of calculating the Diversion Rate, the waste to be included in the calculation and the method of calculating the Mun Cap are important considerations in determining the Mun Cap/percentile deduction/mun tip fee procedure.

Mr. Beardsley expressed interest in Mr. Ward's formulation but said he could not take a position on these issues or on the Plan unless he had available for review the specific elements included in calculating the WGR and Mun Cap and the detailed methodology for calculating the WGR and Mun Cap. Ms. Marks and several others agreed that the details of formulating these concepts must be put before the Working Group before further progress can be made. It was the Working Group's consensus that the methodology for calculating the WGR and the Mun Cap should be included in the Plan. Ms. Mulhearn said that while she agrees with the approach taken in Mr. Ward's proposal and is not opposed to its inclusion in the Plan, the Ward proposal will not supplant the formulation in the Plan's Recommendation 6-3-1 d2, which is also included in the Governor's FY'06 State Budget. She said the Ward proposal and the formulation in Recommendation 6-3-1 d2 can stand alone independently of each other. Mr. Beardsley made it emphatically clear that the position he takes at the State Planning Council and the General Assembly concerning the Plan will depend upon clarification to his satisfaction of the detailed elements of WGR and Mun Cap calculation and their application in determining a municipality's tip fee.

Discussion reverted to calculation of the WGR, the elements that should be included in calculating the WGR and how to calculate it. Mr. Trevor said it is essential in calculating the municipal WGR to take into account the CSW in the municipal waste stream. Mr. Mutter, Mr. Beardsley, Mr. Cote, Mr McGonagle, and Mr. Ward participated in this discussion.

Several members recommended that the landfilling of recyclables should be prohibited by regulation or statute. There was an extended discussion of: 1) the efficacy of prohibiting the landfilling of recyclables; 2) the reasons for instituting a ban; 3) how would the ban be monitored? 4) how would it be enforced? 5) who would be fined: 6) various procedures for

implementation. Ms. Mulhearn said RIRRC should not be burdened with the sole responsibility for implementing and enforcing a ban and that RIRRC and DEM should cooperate in developing a coordinated strategy for implementing a ban. Mr. Gray said DEM would have to ask the cities and towns to each prepare a plan to implement the ban. Ms. Marks said the responsibility for source separation should remain with homeowners. Mr. Trevor, Mr. Beardsley, Mr. Mutter, Ms. Bisson, Ms. Mulhearn, Mr. Cote, Ms. Marks and Mr. McGonagle also participated actively in the discussion of banning the landfilling recyclables.

Mr. Gray initiated the discussion of commercial recycling. He said that while DEM has primary responsibility for commercial recycling by law, little has been done in the area because of the agency's budget shortfalls and DEM's loss of funding for recycling. Mr. Gray described the failure of the current commercial recycling monitoring and reporting program which DEM will replace with a new self-certification program focusing on the 1,300 firms with 50 or more employees. Mr. Gray said a white paper describing this new self-certification program for commercial recycling has been developed and will be distributed. Mr. Gray also described the difficulty of enforcing the current regulation prohibiting the disposal of CSW loads with more than 20% recyclables. A long discussion followed concerning how to improve the level of commercial recycling, how to incentivize firms to do more, how to monitor for commercial recycling and how to enforce. Ms. Bell observed that commercial recycling enforcement could be done through rigorous management of the commercial solid waste disposal contracts. There was a discussion of the possibility of requiring firms to recycle thru licensure. It was noted that while DEM does not have the statutory authority to license haulers, the cities and towns do have that authority.

Mr. Beardsley questioned the recommendation in the draft Plan suggesting that RIRRC and the R.I. League of Cities and Towns jointly sponsor and fund "an investigation that explores various means and approaches by which municipalities can help small businesses recycle." Mr. Beardsley said the State should not fob off onto the municipalities responsibilities for commercial recycling, a field in which the State has been unsuccessful.

Mr. Mutter suggested that RIRRC enforce commercial recycling by giving commercial haulers tonnage allocations and enforcing them. Mr. Mutter also asked whether haulers should be required to pick up recyclables on their commercial routes.

Ms. Marks suggested that the Plan contain a discussion, not only of the finances of the RIRRC, but also of the economics of solid waste management.

The next meeting was scheduled for Tuesday March 15 at 9 a.m. at RIRRC.

The meeting was adjourned at 11:10 by Mr. Gray.