

NOTES OF WORKING GROUP MEETING, APRIL 11, 2005

The meeting was called to order at 9:05 a.m. by Mike McGonagle, co-chair.

Members present: Jim Allam; Dan Beardsley; Carole Bell; Angie Briggs; Claude Cote; Tom Getz; Terry Gray; Leo Hellested; Dante Ionata; Mike McGonagle; Eugenia Marks; Sherry Mulhearn; Steve Mutter; Chris Ratcliffe; Tim Regan; John O'Brien; Jean Tuttle; John Trevor; Harold Ward.

Guests: Paul Caccia, RIRRC; Scott Corrado, We Dispose; Patrick Fingliss, RIRRC; Carlo Izzo, Izzo Disposal; James Izzo, All Waste; Butch Jencks, Haul-Away; Raymond McKenna, Clyde Roll-Off; Judy Shea, Clyde Roll-Off; John Souto, WasteXpress; Dave Stukus, Turner Waste & Salvage.

The Notes of the March 29 Working Group meeting were reviewed and set down with the correction suggested by Ms. Briggs incorporated.

The opening discussion concerned the Commercial Recycling section which had been re-drafted to reflect comments by haulers at the March 29th meeting and circulated for the purpose of this meeting. Mr. Ward objected that the text of Recommendation 2 in the re-draft indicated that "this is a plan to make a plan. Let's make a plan." Ms. Bell said everyone involved must assume responsibility to take actions to improve commercial recycling.

Mr. Jencks said the Comp Plan should specify clearly what actions must be taken, what types of procedures should be utilized to enhance commercial recycling. He said that while most haulers want to recycle, doing so becomes difficult because the businesses and institutions who are their clients often throw rubbish into containers for recyclables, thereby contaminating them and rendering them impossible to recycle. Mr. Stukus said he was satisfied with the commercial recycling proposals set forth in the draft of the Commercial Recycling section.

Mr. Jencks, Ms. Briggs and other haulers said source separation of commercial recyclables should not be abandoned. Mr. Stukus disagreed, saying that source separation of commercial recyclables "does not work."

Mr. McGonagle asked the Working Group to comment on the facility for the separation of commercial recycling proposed in Recommendation 1 of the draft. Mr. Jencks supported the proposal for a sorting facility where recyclables can be separated from rubbish. Mr. James Izzo asked why a hauler could not develop and operate such a facility without having to prepare the extensive paperwork and undergo the lengthy process of applying for permission to build a transfer station or the expense of a transfer station operating license that are currently required. Mr. Beardsley suggested that DEM eliminate current barriers to the development of commercial recycling facilities.

A long discussion of commercial recycling ensued that touched on a wide range of issues: the different types of recyclables/trash containers that can be used; the difficulties encountered keeping trash and recyclables separated at the commercial generators' sites; the failure of generators to separate their recyclables from trash; methods haulers can use to keep recyclables separate from trash; methods of sorting CSW; and procedures for educating and enabling commercial generators to source separate recyclables from their trash. Mr. Jencks, Ms. Marks, Ms. Briggs, Mr. Souto, Mr. James Izzo, Mr. Stukus and Mr. Mutter participated in the general discussion. Mr. Corrado illustrated the difficulties he has encountered getting generators to source separate by describing a school where the container he provides for recyclables always contains trash despite his repeated attempts to educate the appropriate personnel.

There was a discussion of the use of pricing to incentivize recycling, or conversely, to penalize the mixing with rubbish recyclables that were banned from landfilling. Ms. Mulhearn pointed out that RIRRC currently incentivizes commercial recycling by accepting segregated loads of recyclables tipping fee free. Ms. Marks wanted to know if RIRRC could charge more than the standard commercial tipping fee for loads containing recyclables. Mr. Ward spoke to his proposal that RIRRC charge a higher-than-standard commercial tipping fee for solid waste loads that contain recyclables that had been banned from landfilling, noting that RIRRC would not need additional authority and could implement this approach immediately. Mr. McGonagle said implementation of Mr. Ward's proposal of differential pricing would be difficult to implement.

Mr. Trevor asked whether increasing the CSW tipping fee would result in an increase in the diversion of commercial recyclables. Several haulers agreed that it would.

When discussion of all issues pertaining to commercial recycling seemed to be exhausted, Mr. Ward, Ms. Briggs, Mr. Mutter, Mr. Hellested, Mr. Trevor and Ms. Bell agreed to Mr. Ionata's request to meet as a drafting subcommittee to develop new draft text for the Commercial Recycling section to reflect the Working Group discussions of March 29 and April 11.

Mr. McGonagle explained in detail the new procedure being proposed by RIRRC for the calculation of the Municipal Cap, as requested by the Working Group's municipal representatives, to update the procedure used for more than 15 years. Mr. McGonagle said the seasonal and school adjustments that have been part of the existing Municipal Cap calculation have been eliminated. He said that the new calculation deducts 30% from each municipality's annual landfilled solid waste tonnage to account for recycling. Mr. McGonagle explained the 30% deduction was used because: 1) rather than counting only the recyclables delivered annually to RIRRC's MRF, the new procedure counts all recyclable materials diverted by a municipality from landfilling regardless of whether the diverted material was delivered to the MRF; 2) the use of the 30% factor holds most municipalities financially harmless with respect to the existing formula because the up-to-date MSW generation rate is .59 tons per capita per year as opposed to the MSW generation rate of .487 tons per capita per year currently used, thereby increasing each municipality's MSW tonnage cap, and because diverted materials such as leaf and yard debris, white goods and tires have now been added to the MRF recyclables used in the calculation. Mr. McGonagle used a detailed spread sheet that had been previously circulated to the Working Group, to illustrate the elements of the Municipal Cap calculation projected for each fiscal year through 2010 and how they compare to the existing Municipal Cap calculation if used for FY 2006. It was agreed that a textual description similar to the paper Mr. McGonagle had circulated to the Working Group would be included in the Plan to describe the new Municipal Cap calculation.

Mr. Mutter objected that the use of a recycling deduction of 30% was too sharp and too sudden an increase over the existing 20% deduction currently in place for many municipalities to absorb and that many municipalities would be unable to afford this level of recycling deduction at this time. He suggested that a 25% recycling deduction would be more appropriate. He also recommended that the period during which the recycling deduction increases incrementally each year to 40% be extended beyond RIRRC's current proposal of FY 2010.

Mr. Beardsley also objected to increasing the recycling deduction to 30% and to further increasing the recycling factor to 40%. "Where are the resources necessary to pay for this going to come from?" he asked, observing that the General Assembly is not going to put any additional money in DEM's budget to help. Ms. Mulhearn said RIRRC will restore the recycling participation grants to the municipal contracts.

"This Plan is not the real world," Mr. Beardsley said. "The real world is what the Board of Commissioners does and what the Legislature does. The real world is how much money the General Assembly is going to take from the Corporation's budget."

The meeting was adjourned at 11 a.m.