

# 173-350 Solid Waste Definitions Update Work Group

December 2, 2014

1:00-2:30

(360) 407-3780

PIN Code: 419835 #

## Agenda

### Attendees:

X	Andrew Kenefick	Waste Management
X	Ann Rendahl	Washington Utilities and Transportation Commission
X	Art Starry	Jurisdictional Health Authorities
X	Brad Lovaas	Washington Refuse and Recycling Association
X	Bruce Chattin	Washington Aggregates & Concrete Association
X	Ken Stone	Washington State Department of Transportation
	Scott Windsor	Local Government - City of Spokane
X	Sego Jackson	Local Government - Snohomish County
X	Suellen Mele	Zero Waste Washington
X	Ted Silvestri	Jurisdictional Health Authorities
X	Troy Lautenbach	Washington State Recycling Association
Ecology:		
X	Gary Bleeker	Washington Department of Ecology
X	Wayne Krafft	
X	Alli Kingfisher	Washington Department of Ecology
Guests:		
X	Jim Sells	Washington Refuse and Recycling Association
X	Penny Ingram	Washington Utilities and Transportation Commission
X	Pam Smith	Washington Utilities and Transportation Commission
X	Betty Young	Washington Utilities and Transportation Commission
	Susan Thoman	Cedar Grove
X	Jerry Bartlett	Cedar Grove
X	Bart Kale	Bart Kale & Associates/Nucor Steel

**Project Objective:** The definitions of Solid Waste, Recyclable Materials, and Recycling are the basis for all solid waste handling activities. These terms are defined in statute, but subject to some interpretation. The work group will focus on these terms and determine if they can be clarified or improved within the limits of existing statutes.

### Meeting Objectives:

- Refine comments on draft language.

- Develop list of other definitions needed

### Ground Rules

- Turn off distractions (phone, email etc)
- Success depends on participation
- Avoid acronyms
- Share air time
- Share the why as well as the what
- These are preliminary thoughts
- Feedback loops with constituent groups/gatekeepers
- Regular attendance – if you can't attend designate a proxy

Time	Topic	Additional Details
5 min	Welcome, Check in, Roll call	
5 min	Review Group Process to Date	Conform changes to meeting notes for 11-18 meeting
50 min	Factors to consider for recycling and solid waste	Review draft language
25	Other definitions needed	Develop draft list of other definitions needed
5 min	Wrap-up & Check-out	

### Needs for definitions for additional terms:

#### Reuse:

**ACTION: Ecology will draft a definition for review by the group.**

#### Speculative Accumulation:

*Discussion:*

- Venturing in terms of haz waste.
- Have we used it yet.
- Took “reasonable time frames” from EPA definition – which goes back to markets for the material.
- Concept is used in piles section in wood waste. Rates for turn over. Concept used in determining if something is abandoned. Intent is if . SA is only if the term is used within considerations.
- Issue is how long and where you store it. From one perspective there is a point where speculative accumulation becomes garbage.
- Need for term may emerge later in MRF/exempt recycling facilities work group.

**ACTION: Move term into parking lot for future consideration**

#### Discard

*Discussion:*

- Dictionary definition. Courts have used the dictionary.
- Use abandoned. Is someone discarding clothing if you give it to Goodwill?
- Case law used in California have referenced the dictionary.
- It is linked into the issue if something is valuable.
- The issue of discard is understood. Also if you put recyclables on the curb they are discarding them. They are a Solid Waste.
- We have never considered items given to Goodwill solid waste handling. Items have same value as-is. It is not considered SW handling.
- Term is used in definition of MSW

**ACTION: Move term into parking lot for future consideration**

## **Abandoned:**

*Discussion:*

- simple word that doesn't need define

**ACTION: No need to define**

## **Valuable:**

*Discussion:*

- **Definition referenced in current draft:**  
(a) "Valuable" means material (i) having an economic value because it can be sold or bartered, or (ii) having value to the user because it will be an effective substitute for an alternative product that would otherwise have to be purchased or acquired.

**ACTION: Will continue to work at in regards to 173-350-XXX definition**

## **Source separation**

*Discussion:*

- Not everything that is recyclables is solid waste. If a MRF separates out recyclables.
- "Separation" or "separated" includes source-separation or other processing to remove or separate recyclables from other non-recyclable solid waste;
- Source separated is already defined in 350: "means the separation of different kinds of solid waste at the place where the waste originates"
- Does the MRF that separates out the paper and remove contaminants.
- Once something is produced to a specific spec then it is not a solid waste. They are Creating a spec product to be sold.
- What about bales of mixed plastic? Not all of it is recycled.

**ACTION: if used then determine Intermediate:**

## **General Discussion:**

Question: should we eliminate sections 2 and 3?

*Discussion:*

- We should keep in the examples. Compost would not meet E. It can contain pathogens – but not in final form.
  - examples could have unintended consequences.
  - Some could view examples as codifying examples.
  - I think it is good and can provide more consistency.
  - UTC is in favor of deleting 2&3. Less prescriptive can be better. The ‘factors’ can fill that need.
  - Examples are great as long as they are used by people who know what they are doing. Some will use examples to move away from what they are meant to do.
- ACTION: Undecided. We will work to refine section 1 so that sections 2&3 may not be necessary. We will revisit this discussion after more work on section 1. We can then run items in section 2 and 3 through as test cases.**