173-350 Solid Waste Definitions Update Work Group
February 18, 2015
1:00-4:00
Ecology Headquarters: 300 Desmond Drive, Lacey, WA 98503
Room: R2S-20
Optional Call-in: (360) 407-3780 PIN Code: 567975 #

Agenda

Attendees:

X		Andrew Kenefick	Waste Management
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
		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	Washington Department of Ecology
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
		Betty Young	Washington Utilities and Transportation Commission
X		Dan ??	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:
- Ecology update on ADC conversation
- Refine definition of *reuse*
- Refine *Factors to consider for recycling and solid waste*
- Update and decisions on future meetings and processes

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

Topic	Additional Details
Welcome, Check in, Roll call	
Review Group Process to Date	Conform changes to meeting notes for 2-3-15
Ecology update on ADC	Wayne Krafft
Review definitions of Reuse	
Factors to consider for recycling and solid waste	Review draft language Run test cases through the language
future meetings and processes	Update and decisions
Wrap-up & Check-out	

Review Group Process to Date: Meeting notes were confirmed with no changes.

Ecology update on ADC issue:

Wayne Krafft gave input from Ecology on ADC. He will work to organize a meeting to address this issue outside of this workgroup. He encouraged the group to leave this issue behind for now

Andrew: The issue is not whether or not ADC is recycling or diversion. But rather, is it disposal?

Factors to consider for recycling and solid waste

Ecology staff asked if the current version was ready to be moved forward for receiving input from all Ecology staff. The group went around the table and all gave input on the current version.

Comments included:

- I have a hard time with the ADC issue.
- It is OK.
- Check the language regarding little or no risk to public health or employees – keep it consistent with other usage in the rule. In 70.95 RCW the phrase is *Present little or no environmental risk* or *for human health or the environment*
- Keep the phrase "little or no risk"
- Beware that when it is subjective then there are challenges downstream. But this can also work to the advantage of both the regulated community and the regulators with added flexibility. Remove the definitive "no"
- Another subjective term is "unreasonable timeframe"? Keeping it flexible can make it better to regulated timeframe and economically feasible.
- In #3 "established markets" is another subjective term but I agree with the flexibility this affords everyone.
- No suggested changes to the language. One comment in respect to waste streams – soils handling and inert waste groups.
- In #2 insert "by weight"
- Pull out "valuable" and "separated" into the definitions section
- I am happy with this. It is workable.
- Good product. Ready for new eyes.
- Pretty good product. There may be implications for Moderate risk waste but I understand that it is in the dangerous waste regulations and not 173-350. I am happy with this.

Summary of changes to make:

- #4 change "public health or employees" to "human health or the environment"
- Definitions: pull out definitions of "valuable" and "separated"

Question: Where do we go from here?

- Wayne: First it will go to an informal review. Stakeholders can provide comments. Later it will go to the formal comment process on the entire rule. Ecology will then issue a response. It will also be run through an economist. The notes from these meetings go into a rule file for the future – so we can access them for intent and clarification.

Definition of reuse:

Comments:

- The EPA and Calrecycle definitions are good
- The definition of recyclable materials includes reuse
- Only place where it is listed in County SW plans Exempt MRF collecting recyclable materials.
- If something is no longer a SW then it becomes a what? It becomes "not a SW"
- The term "recycling" is defined in statute – but reuse is not defined. But at the end of the day aren't we splitting hairs?
- Reuse has less energy invested. Recycling requires more to transform the material.
- "Reuse" comes up 9 times.
- E-waste, "sham reuse" send monitors sent to China.

- If we come back to the term "processing" – is that term well defined? In 173-350: "Processing" means an operation to convert a material into a useful product or to prepare it for reuse, recycling, or disposal.
- What about "product", "co-product" and "by-product"? Co-products are products but by-products are waste.

ACTIONS:

- Float out Calrecycle definition.
- The group agreed to go on 'hold' for a couple of months in order for Ecology to review the work so far and provide comments.