

Open Meeting
Summary
April 4, 2012
Solid Waste Advisory Board
Legislative Committee

Introductions

Michael Shaw, Chair, introduced the legislative committee members and called roll. He asked the industry members to attend and asked them to participate in the meeting.

Present were:

Chair: Michael Shaw, District E

Committee Members: Harry Rogers, District M; Ann Hamilton, District B; Pat Geraty, Representative of Composting/Recycling Industry; and Sue Noel, Public representative

Others Present: Derrick Standley, WCM; David Bahrenburg, IESI; John McConnell, Republic; Bill Beck, City of Sedalia; Jane Cale, Region I; Chris Bussen, Region E; Lisa Danbury, Region E; Charlene Fitch, SWMP; Linda Laderoute; David Berger; Robert Hamilton, Region O; Lynda Roehl, Region P; Kristi Mackey, Region J; Nongluk Tunyavanich, Region K; Cindy Hultz, Region G; Joyce Stroud, Region N; Brenda Kennedy, Region D; Chris Nagel, SWMP; Brenda Ardrey, SWMP; Mary Ellen Hummel, SWMP.

Not Present: Thomas A. Groves/Lauren Hershey, District H; Gary Roark, District M; Lon Little/Steve Etcher, District I;

Approval of April Meeting Summary

Pat Geraty moved to approve the Agenda. Ann Hamilton seconded the motion. The motion carried unanimously. Chairman pointed out that the board opposed the never ending cap on the \$2.11 fee. Chairman had held discussions with John Haasis, Derrick Standley and John McConnell about it over the past weeks. All would like to revisit the issue and see some equity established with fees. Chairman stated although the SWAB is not supporting SB849, some issues within it are valid and need to be resolved.

Overview SB 849 –

Modifying provisions relating to solid waste management

Brenda Ardrey gave a brief overview of the current statutory language and the proposed changes in SB 849 as seen on the handout. The overview handout gave the additions, deletions and modifications proposed in SB 849. There are 59 additions and 70 deletions in the bill. Companion bill HB1905 has similar language.

Solid Waste Industry Perspective of SB 849

Mr. Standley gave a breakdown of the 9 provisions in the bill and the industry's outlook on the bill. Discussion was held about a county's ability to leave a district and join another. Ms. Ardrey pointed out that in a past legal opinion, the Department would not support a county leaving a district to join a district that was not contiguous. Mr. Standley pointed out that there were some things in the bill that were Best Practices in the SW districts now, but that this bill was just putting it into the law.

David Bahrenburg also spoke on behalf of the industry and their participation in the discussion of the legislative committee. He indicated that the industry has no vote on the legislative committee and does not feel part of the decision process. As explained, the primary intent of SB 849 is to get discussion going on laws needing to be updated. Industry would like to see a cap on the tonnage fee, as they feel they pay their fair share into the funds, and those fees support failing industries.

John McConnell also supports reviewing issues in SB 849.

Current Services provided by SWMP

Chris Nagel from SWMP gave an overview of the areas of services provided by DNR. SWMP provides oversight of Solid Waste facilities, and ensures protection of groundwater, surface water, and ensures land is restored back to productive use. One of DNR's delegations of authority is through federal delegation for municipal landfill permitting. States across the nation all handle solid waste at state level. Operation and administration of the solid waste management district program diverting waste materials from landfills, as well as the scrap tire program which has its own sections of permitting, enforcement and compliance, grants, clean ups, technical and compliance assistance are included.

DNR regulates SW disposal facilities (SLF, UWLF, C&D, special waste LFs i.e. 3M (plastic residues)), SW processing facilities- Transfer stations, material recovery facilities (trash or source separated), and infectious waste processing facilities. Incinerators in other states, but Missouri does not have any. There are 289 Landfills, 62 Processing facilities, 18 scrap tire processing facilities, shredders, etc., non-permitted facilities can include non permitted businesses and private citizens.

Comments were made and discussion initiated about beneficial use -Fly ash used in beneficial use products, i.e. in place of concrete, in premix bags of concrete, high strength fill.

Statistics and examples are in the overview handout.

Derrick Standley pointed out that of the 289 landfills listed on the handout, only 18 are active landfills that pay into the fund.

Committee Discussion

Discussion about counties' ability to leave a district was initiated, with Mr. Standley pointing out that funding would become "impossible" if a county left a district, but did not join another, or wanted to establish a new one. This was not addressed in the SB 849. Ms. Ardrey pointed out there is a guidance document on the process of leaving a district and joining another. The district must show that their waste is flowing into another region. She will have the document available for the next meeting. The district receiving an incoming county must approve the new county entering into their district.

Chairman listed assignments for next meeting. DNR will do a more comprehensive breakout of the chart handed out. Districts should compile comments from their district about the points handed out and bring to the next meeting. Committee will also be exploring the \$2.11 fee and who is paying into the fund, etc.

New Business

No new business

Other Business

David Berger wanted clarification on changing regional boundaries, stating they must think of the receiving district and the impact of the incoming county on the receiving district.

Call for Agenda Items

Chairman invited the industry representatives to come to the next Legislative Committee meeting also. Future agenda items suggested were: District comments about the points delivered in handouts. Review of DNR's chart and comments, continued dialogue about the points of SB 849, and receiving county and the impact of incoming county, and the DNR guidance document. Mr. Rogers brought up bringing in the utilities to the table in order to broach the subject of them paying fees into the fund. Mr. Standley pointed out industry had approached them about 3 years ago, and they were willing to pay something.

Set New Meeting Dates

SWAB Legislative committee will meet after the May 2, 2012 SWAB meeting in the Bennett Springs conference room.

(These are upcoming SWAB meetings.)

May 2 - Bennett Springs Conference Room, 1730 E. Elm Street, Jefferson City, MO

August 1 - Bennett Springs Conference Room, 1730 E. Elm Street, Jefferson City, MO

October 3 - Bennett Springs Conference Room, 1730 E. Elm Street, Jefferson City, MO

November 7 - Bennett Springs Conference Room, 1730 E. Elm Street, Jefferson City, MO

Adjourn

Pat Geraty moved to adjourn the meeting, Harry Rogers seconded the motion. Motion carried and meeting was adjourned at 12:06 p.m.

Respectfully submitted

Mary Ellen Hummel, Secretary