

Recycling Public Advisory Council

Meeting Minutes for Wednesday, June 20, 2007

Members Present: BJ Vinton (Chairman representing CSWSC)
Dick Cecil (Del. Association of Counties)
Pat Todd (League of Women Voters)
Dick Fleming (Delaware Nature Society)
Paul Bickhart (Recycling Express of Delaware)
Wally Kremer (DeEASI)
Jim Werner (DNREC)
Pat Canzano (DSWA)
Ptery Iris (IRSD)
Tom Houska (sitting in for Steve Masterson, Waste Management)*

Members Absent: Steve Masterson (Waste Management)*
George Wright (League of Local Governments)

Non-Members Present: James Short (DNREC) Lynette K. Lee (DNREC)
Bill Miller (DNREC) Nancy Marker (DNREC)
Jim Parks (Delaforum) Paul Sample (Legis. Tech. Advisory Office)
Bob Barrish (citizen) June McArtor (citizen)

James Werner called the meeting to order at approximately 1:38 p.m. He welcomed everyone and asked for people to introduce themselves.

Public Comments

There were no public comments, written or oral.

Approval of Minutes of Previous Meeting

There was a suggested change to the minutes from the May meeting; adding the entire proxy guideline.

“Proxies for RPAC members must be designated either in person at a Council meeting, or by advance written notification in the form of a signed letter or e-mail. The DNREC support staff person should be copied for the email notification. The proxy cannot be designated over the telephone and current RPAC members cannot serve as the proxy for other RPAC members. Standing proxies will not be accepted. This proxy guideline supersedes all prior proxy guidelines.”

A motion to approve the minutes was made by Pat Canzano to approve the minutes from the May meeting, seconded by Wally Kremer; the minutes from the May meeting were approved with the one change.

Measurement and Methodology Sub-Committee Report

Dick F. gave an update on the progress of the Sub-Committee. The Measurement and Methodology Report is coming along well and is close to being finished. The Sub-Committee has kept most of the EPA’s definitions and added other terms and activities that they feel should be reported. All of Delaware’s waste activities should be included in this report except for imported waste because it is not waste that is generated by citizens of Delaware. Pat C. suggested adding a material balance diagram. Tom H. suggested that there also be numbers based on per capita not just raw information. Dick F. was appreciative of the suggestions. BJ extended an invitation to anyone, including members of the public, who would like to attend or participate in any of the RPAC sub-committee meetings.

Vision Sub-Committee

Pat T. gave a handout on the ideas from the Vision Sub-Committee. They are not focusing on specific dates and numbers to be achieved. The Sub-Committee wants to focus on “complete resource recovery” or “complete diversion from the landfill”. The purpose of the goal is a course direction; where Delaware should be in the future. The Sub-Committee will continue to meet.

Recycling Legislation

Jim W. reviewed House Bill (HB) 159 and HB 146. HB 159 has been endorsed by RPAC, the League of Local Governments, the DSWA, and the DNREC. The basis of HB 159 is a \$3 per ton fee on waste disposal which is \$.38 per household per month which will create a \$3-4 million fund to advance recycling. HB 146 is a mandatory recycling bill, but it is fairly vague. There has been a substitute for HB 146 proposed by Rep. Maier that takes the mandatory language from HB 146 and the funding mechanism from HB 159. If passed, this substitute will replace HB 146 but HB 159 will still be out there.

Jim W. added that Senate Joint Resolution 2 calls for DNREC to report to the legislature in two weeks on the status of establishing yard waste sites. Jim S. explained that DNREC working to open three community yard waste management demonstration sites. DNREC is moving forward with the “DART site” near the intersection of Route 13 and Route 72. It should be open within the next couple of weeks. The other two sites are still in the works. DNREC is still looking for a good location in Northern New Castle County.

Flow Control Supreme Court Decision

Pat C. explained a recent Supreme Court Decision that allowed a local government to direct waste to a municipal owned landfill. This opens the door to “flow control” or governmental/municipal control of the waste stream which was shut down in 1994 by a Supreme Court decision ruling against it. In the 1994 case, the Supreme Court Ruled the municipality could not direct haulers to a specific landfill, however here it was a privately owned landfill. In spite of the decision, Pat C. said that the DSWA is not going to change the way it does business. The decision could fairly easily be overturned and the DSWA has contracts that could be adversely affected by any changes. So while the Supreme Court Decision is big news in the waste industry, it should not have any effect in Delaware.

New Business

Dick F. suggested that the RPAC consider hiring a consultant to conduct an assessment of recyclables diverted from the landfill. There will be a specific scope written up by the September meeting for the RPAC to review. Wally K. asked about the Peninsula company’s composting proposal. Jim W. said DNREC does not have many details because Peninsula is awaiting a coastal zone decision before it proceeds any further.

Additional Comments

There were no additional comments.

Schedule for Future Meetings

The next meeting was scheduled for Wednesday, July 18, 2007 at 1:30 p.m. at the DHSS – Georgetown State Service Center. Also, the date for the September meeting was set for Wednesday, September 19, 2007 location TBA. Bill M. will send a tentative meeting calendar for the next year to the RPAC members which will be confirmed at the July meeting.

The meeting adjourned around 3:35.