

Waste Panel Meeting #6

2.9.2020

Attendees

Chair (present):

- Martin Brand, Deputy Commissioner, New York State Department of Environmental Conservation

Members present:

- Michael Cahill, Partner, Germano & Cahill, P.C.
- Steve Changeris, Vice President, Northeast Region, National Waste and Recycling Association
- Resa Dimino, Senior Consultant, Resource Recycling Systems
- Jane Atkinson Gajwani, Director, Energy and Resource Recovery Programs, NYC Department of Environmental Protection
- Dereth Glance, Executive Director, Onondaga County Resource Recovery Agency
- Eric Goldstein, Sr. Attorney and New York City Environment Director, Natural Resources Defense Council
- Bernadette Kelly, International Representative & Recording Secretary Teamsters Local 210
- Tok Michelle Oyewole, PhD., Policy and Comms Organizer, NYC Environmental Justice Alliance
- Lauren Toretta, President, CH4 Biogas
- Brigitte Vicenty, Founder, Inner City Green Team
- Paul Gilman, Senior Vice President and Chief Sustainability Officer, Covanta
- John W. Casella, Chairman, CEO, and Secretary, Casella Waste Systems
- George Bevington, Senior Project Manager, Barton & Loguidice

Members not present:

- Dan Egan, Executive Director, Feeding New York State
- Allen Hershkowitz, Founding Director and Chairman of the Board, Sport & Sustainability International

Key staff present:

- Sally Rowland, New York State Department of Environmental Conservation
- Molly Trembley, New York State Department of Environmental Conservation

Welcome

Martin Brand gives welcoming remarks, an overview of the meeting agenda, and notes that the Waste AP will be taking public comments during the latter portion of the meeting. The following bullets capture additional comments from Martin.

- We're going to be working on the recommendations during the next Advisory Panel (AP) meeting.
- We will work to put a meeting on in early March to refine draft recommendations and perhaps another one in late March.
- The Land Use and Local Government (LULG) panel did a survey of public officials, which had information relevant to the Waste group. This is available on the Waste AP SharePoint.
- Now we're looking to get updates from each of the subpanels. How is work going, do you have any needs, and have you made progress on drafting recommendations? You will get 10 minutes each.

Brief Updates from Subpanels

Below are the notes for each subpanel update given during the meeting. Some of these updates led to broader discussions, which are summarized within the subpanel updates.

Water Resource Recovery Facilities – Jane Gajwani

- Jane: The group has not met since the last AP meeting. We did get the new slide format and have been working to fill that out.
- As a reminder, the overarching goals are:
 - Turn wastewater treatment into wastewater transformation
 - Reduce fugitive emissions, including leaks and flairs
 - Improve Anaerobic Digestion (AD) at facilities across the state
 - Resource recovery and organics management. We met with other members of this panel last week to discuss organics diversion. The piece our subgroup is focused on is organics diversions of biosolids. Recycling nitrogen and phosphorous of biosolids is a big piece of organics waste diversion from landfills. This is in addition to methane capture.
- Martin: What needs and issues do you see moving forward in the next few weeks?
- Jane: We're trying to nail down exactly what the Greenhouse Gas (GHG) emissions reduction would be. First, we need to understand the current inventory then make reduction estimates based on that. Also, there is a need for greater organization of broader organics management. We need places for these things to go.
- Martin: Sally, your team has been looking at emissions from the bio sector. Any updates on that?

- Sally: Yes, we're looking at how these things are calculated in the inventory. We have a ways to go with getting the right numbers into the EPA model, especially with wastewater. We haven't done a lot there yet.

Materials Management – Resa Dimino

- Resa: We also have not met as the materials management subgroup since the last AP meeting. Our group did meet with the organics workgroup. Our next big task is to take our recommendations and put them in the new format and work through the details of that format.
- Resa on the discussions around organics:
 - Talked about increasing the standards for disposal bans
 - Existing Food Donation and Food Scraps Recycling law could extend down to one ton per week from the two ton per week, then expand to residential.
 - Could also do a straight disposal ban.
 - Talked through a lot of options, but need to refine down what the specific recommendation is.
 - Food scrap recovery programs could be considered as well.
 - We could also look at drop off programs, such as at farmer's markets. This would help build capacity and infrastructure.
 - Also talked about funding needed for infrastructure, collection, and processing. Could look at municipal grants, and broader incentives for private programs.
 - We also need to look at a statewide study for organics.
 - To create a market, we could create fertilizer and composting requirements.
 - Could also look at using extra food to feed people or animals instead of throwing it away.
- Martin: What do you need over the next few weeks to refine these recommendations?
- Resa: There are a lot of folks involved and there needs to be a clear lead.
- Martin: An organics ban would be a source-separation policy, similar to recycling?
- Resa: Correct. There are a number of different pathways that could take, so we need to narrow down on which specific one we plan to recommend.
- Sally: It is really important to distinguish this. When we look at calculated emissions reduction, would there essentially be a ban on organics to landfills? Current law says that there needs to be an economical facility available, which would result in lower emissions reductions.
- Steve: Depending on the policy pathway that is decided, a ban needs to be paired with the buildout of capacity to reduce or handle the waste. That should be included in the recommendation and to show what we incent and what we don't incent.
- Eric: One of the challenges we're going face is that we have too many recommendations. Do we have a goal of how many recommendations we will submit to the Climate Action Council (CAC)?
- Martin: We've been trying not to limit any of you in your discussions. In some cases, it will be really hard to quantify some of the policies. The overall priority is to maximize GHG reduction. Those will take the highest priority. There will be a lot of discussion when we T-up our recommendations. There will also be a rigorous pathway analysis that will take place with the CAC. Some policies will fall off later on. At this point, let's leave everything on the table, but let's spend the most time filling in details of policies with the highest GHG emissions reduction.

- Resa: Someone asked: “what were the requirements for composting and digestate in state operations?” The recommendation is to require the use of those products for state projects and incorporate requirements in permits for projects that use those products.

Organics Diversion and Landfill – Lauren Toretta

- Lauren: We haven’t met as subpanel since the last meeting but were a part of the meetings on organics and other specific topics. We’ve also gotten the new slide template and our next step is to take our recommendations and put them into the template and flesh them out. We’ve been looking at waste organics diversion. We also have had a lot of discussion around incentives. That’s a piece we need to get more detail on. That will be cross-panel discussion, as we take the next step. There is a mix of incentives, some financial and some not financial. We also need to build up infrastructure. There’s not going to be universal agreement on what levers to pull. We’ll need to think about how to spell that out. We’ve been very market-oriented, but that’s not how everyone thinks. We’ll need to reconcile how we’ve been thinking and how the rest of the panel thinks. In summary, we’ve had a lot of good discussion, but no consensus-building yet.
- Martin: Is there any additional data that you need from the group?
- Lauren: The landfill data would be helpful, as well as getting a better understanding of organic waste overall in New York. How much is there and where is it going now? This would help us prioritize recommendations.
- John: It would also be helpful to understand data the Department of Environmental Conservation (DEC) might have on diverting waste from landfills. Another thing our group talked about was colocation of additional facilities to further process materials coming to the facilities. Also, we discussed the establishment of quality standards at existing facilities.

Local Scale and Climate Justice – Tok Oyewole

- Tok: Haven’t had a meeting recently but some of our members were on the broader organics call. We’re currently working to shape recommendations into the new format that was sent.
- Tok: Big picture points we are focusing on:
 - Central waste reduction
 - Centralize donations and make sure they’re getting to right places
 - Curb production of non-recyclables
 - Mandating municipal collection of organics
 - Recycling in equitably distributed ways
 - Convert transfer stations into well-run composting and processing sites, assuming reducing waste to begin with
- Tok: On the organics call, we discussed ending organics going to landfills and incinerators. Also, we looked at improving AD at wastewater facilities, but not expanding. We have concerns with biogas production
- Tok: Understanding limiting the ways it could be beneficial
- Tok: Other points of discussion have been:
 - Waste transport mechanisms (electric vehicles and bicycles)
 - Focus on employment that are good paying in public and private sectors, focusing on marginalized communities
 - Developing sustainable blueprints for grassroots organizations impacted by racist policies

- Martin: We were talking about model groups that you're familiar with and Brigitte has been working with. How can local programs be exported and adapted across the state in places with disadvantaged communities? It may be helpful to look at scaling across the state. The goal would be to make change at the state level by leveraging local programs.
- Tok: I agree. From people we've spoken with, people can do this work with municipalities they live within. Maybe there's a way to pull in their work with state and city governments.
- Martin: Yes, we have to mobilize champions in a given community who can drive the effort. The focus should be generating more champions.
- Brigitte: You have raised expanding across the state. My program is easily expanded. How is it communicated to pinpoint particular regions and how to take it somewhere else?
- Martin: The first step is to identify the factors of success: funding, training, local point, certain logistical items, or enough material to work with to make it worthwhile. Then see what is available in the rest of the state. See where it's missing so that we can help figure out how to fill the needs.

Public Comment Period

Below is a brief summary of the comments provided by each speaker during the public comment period.

- Commenter #1: While the panel has primarily discussed organics and methane, I am concerned about the management of solar panels and associated lithium-ion batteries after they are no longer functional. In one town in NY, a developer said they will dump 20k solar panels into a landfill. They should not be landfilled, there should be a system to properly recycle them.
- Martin: Yes, thank you, this is something we've been talking about, and glad you highlighted.
- Commenter #2: Energy Justice Network: Data from EPA and others shows incineration is worse for the climate than landfilling. There's a lot of focus on methane but little mention of CO2. With that in mind, it's important to move the state away from trash incineration, as well as sludge incineration at wastewater facilities which produce significant GHGs as well. Organics diversion is great but should focus more on anaerobic digestion before landfills (use the ecocycle report as reference, and Zero Waste hierarchy that I helped develop). It's better to flair than burn for energy.
- Commenter #3: No panel is focused on refrigerants, which comprise a percentage of NY's emission portfolio using 100-yr GWPs – greater if using 20-yr. Should consider stronger extended producer responsibility (EPR) for appliances and a greater emphasis on refrigerant waste (leak) reduction.
- Commenter #4: Anaerobic digestion will be a key strategy moving forward, and producing and using RNG is truly circular process. It reduces GHGs and improves/incentivizes management by revenue stream. There is massive climate benefit where communities capture RNG. It's clear that renewable fuels are needed because not everything is best with electrification; RNG can be shifted to whichever end use needs it.
- Commenter #5: Need to track GHG benefits in real time. Inventory should not be constrained to in-state, as there are many out of state benefits and/or impacts. Accounting methods in NYS are unclear. Panel should consider net emissions approach for waste management
- Commenter #6: Some ideas to help with waste collection: 1) Pick up of household waste in high – density areas- consider policy or incentives to invest in on-street depots. For example, an entire block can bring waste to one spot, which reduces trash collection vehicles from moving slowly and also encourages more walking by freeing up sidewalk space. 2) Encourage cleaning of pedestrian areas after snow. 3) Electrify fleet and use bicycles in dense areas when possible (BK

ROT was an all-bike powered organic waste pick-up program). 4) Support EPR labels on packaging (Senate bill 1885). On a final side note, concerned about co-pollutants from RNG.

- Martin: We had BK ROT come in and present to us, interesting local program
- Commenter #7: West Rock operates one of largest recycling networks. In NY we have 900 team members in family wage jobs and invest into state economy. One facility is Solveg recycle paper mill- diverts 900k tons of fiber from area landfills. Opposes inclusion of paper in extended producer program. It is not appropriate for paper products as paper recycling is tremendous success story. We and others want to buy recycled fibers. Educating the public is a better approach.
- Commenter #8: Concerned EPR for paper will disrupt paper recycling success. Paper recycling rate meets or exceeds 63%. The industry is committed to recycling and markets are up, so there is no need to change things.
- Commenter #9: Supports the following policies: centralized donation, mandatory organics collection, 2050 disposal ban on organics, expanded local processing, and electric trucks and bike collection. Opposes waste-to-energy and incineration, as they don't eliminate GHG emissions.
- Commenter #10: CASCADES is a leader in recycling products and is based on circular economy principles. Proper GHG and carbon accounting is needed for industries to determine best methods for GHG reductions.
- Commenter #11: Support to adopt globally accepted net carbon methodologies. It is unclear why NY uses different accounting methods than what others have that are science-based approaches. Next year, NY will require food waste to be diverted. Quickest way to reduce is to stop creating the waste in the first place.
- Commenter #12: CLCPA should try to think differently and open the door to difficult to conversations if we have any hope of progress. Was disappointed to hear "waste is reality" comment to kickoff a subgroup report. This group should be bold and have aspirational goals. Source reduction and reuse should be highly emphasized.
- Commenter #13: Refrigerants need more attention. EPR programs would be cost-effective and their impact easy to quantify. Regulations are generally ignored because they are not enforced. Incentives are a better way to go. We recommend these programs to the CAC.
- Commenter #14: Glad you addressed problem of finding models of climate justice and urge you to expand the search for models beyond the state to worldwide.
- Commenter #15: Concern is on composting efforts and contamination in the recycling stream. After looking at corruption in recyclables and places like China turning down our recyclables, wondering if a mass education effort is worth getting dollars to counties Furthermore, one idea is to close the loop to feel like it's a big circle, if residents can come to compost items at the same location they collect compost.
- Martin: Yes, there are several NY programs, like the Recycle Right program, which talks about contamination issues and is on our website. Invites sending name and contact info and the state can help the town.

Meeting Wrap-Up

- Martin: thanks everyone for the suggestions. We are working on many of them:
 - NY Solid Waste management plans
 - Accounting and how GHGs will be counted and measured- yes, have heard similar comments before and it's something CAC is working on.
- Martin: We will capture all of these and pass on to other panels as needed

- Dereth: Invites written comments in your own words.
 - Refrigerants folks- We put out a request for proposal for refrigerant recycling, and we only got one responsive bidder. It would be great if you could submit comment that touch on workforce and market development, so we can figure out how to get more companies into the market profitably.
- Martin: next meeting is February 22nd and will focus on equity considerations. Thanks to all the attendees and panelists.