

SWAC C&D Subcommittee Meeting
MassDEP – Bureau of Air & Waste
October 30, 2019; 10:00 AM to 12:00 PM

Meeting Notes:

Recorded by: Allie Phillips and Mike Elliott

NOTE: Copies of the meeting notes and presentation slides are available on the MassDEP C&D Subcommittee webpage. The MassDEP C&D Subcommittee webpage can be found at the following link: <http://www.mass.gov/eea/agencies/massdep/news/advisory-committees/cd-subcommittee.html>. Comments can be submitted via email to Mike Elliott at michael.elliott@mass.gov.

The following agenda items were covered during the meeting:

1) Welcome/Introductions

- a) MassDEP welcomed participants in the room and on the webinar.
 - i) Participants in conference room: 14 (as recorded on meeting sign-in sheets)
 - ii) Participants on webinar: 11 (as recorded on webinar attendee report)
 - iii) Participants reflected a cross-section of stakeholders representing: C&D Processors and Transfer Stations; Waste Haulers; Recycling Processors; Recycling/Re-use End-Markets; Construction Management, Sustainable Construction Consultants, Business/Institution Recycling/Re-use Resource Organization, and State and Municipal Officials

2) CY2018 C&D Facility Annual Report Summary Data

MassDEP presented preliminary summary data as compiled from the CY2018 C&D annual reports, which included:

- Preliminary CY2018 C&D Annual Report Summary Data
 - Total material accepted: 2,149,735 tons
 - Inbound Mixed C&D Waste: 1,298,077 tons
 - Transferred for further processing: 392,319 tons
 - Recycled/Reused: 240,650 tons
 - Landfill Dependent Use Application: 223,031 tons
 - Disposed at landfill/combustion: 984,576 tons
- Trend of Inbound Materials Accepted Over Time
 - Over past 10 years
 - 94% increase in total inbound material
 - 36% increase of Inbound Category 1 mixed C&D waste
 - 400% increase of Inbound C&D Residuals (CY2018: 280,329 tons)
 - 2500% increase of Inbound Category 3 Bulky Waste (CY2018: 503,041 tons)
- C&D Annual Recycling Rate Trend Chart
 - CY2018: 25% on average across all C&D Handling Facilities
 - Reflects a declining trend since CY2013
- CY2018 Wood Product Recovered
 - Total of 164,912 tons recovered
 - Particle board 71,164 tons (43%)
 - Biomass fuel: 30,816 tons (19%)
 - Bulking agent: 10,735 tons (6.5%)

- 28% of Landfill Dependent Use Materials (C&D Residuals used as ADC and Roadbase): 52,157 tons (32%)
- CY2018 Other Processed Materials Recovered
 - Clean gypsum wallboard: 1,209 tons
 - Asphalt roofing shingles: 3,024 tons: (Note: this only represents shingles collected at C&D Handling Facilities. There is likely a significant quantity that is directly shipped from the jobsite to the processing facility.)
 - A person asked if processed glass aggregate (PGA) could be used in the base course layer of paved roads. MassDEP responded that MassDOT specs do allow the use of PGA in the base course layers, but we are not aware that it is being used anywhere in the state for this purpose. Two towns (Groton and Dennis) have received grants for glass crushing equipment. They plan to use the PGA for a variety of local infrastructure projects, but not necessarily for road base.

3) **Proposed minimum Performance Standards**

A number of questions and comments were raised:

- Consequences of Failure to Meet MPSP: failure to comply with MPSP is considered a failure to meet waste ban requirements; consequently, any remaining C&D waste is considered inadequately processed and may not be disposed or arranged for disposal; remaining waste material must be transferred for further processing to an MPSP-compliant C&D Handling Facility.
- Transfer of low-value C&D waste to MPSP compliant facility: A concern was raised that requirement to transfer all remaining waste from an MPSP non-compliant facility to an MPSP-compliant facility will adversely affect the process separation (PSR) rate of the receiving facility. That's true, but the processor on the receiving end has some choices: it can charge more for the low-value material; or it can reject the load if it is concerned about the impact on its PSR performance criteria. Ideally, MassDEP would like to incentivize the MPSP non-compliant facility to improve its performance and come into compliance with the MPS Policy.
- 15% minimum threshold is overly aggressive for some facilities: The 2016 C&D Debris Market Study by NERC/DSM reported the incoming material composition at C&D Handling Facilities consists of approximately 53% by weight banned materials, and of that 38% was considered to have good market potential for recycling or reuse. MassDEP believes that 15% is a readily achievable standard for C&D processing. From a level playing field perspective we believe that every facility should either be able to meet this standard or transfer to another facility that does.
- Facility MPSP Status: After MPSP goes into effect, MassDEP will publish C&D Handling Facility MPSP status report each June based on the prior year's annual report data. MassDEP-BAW will be auditing all data for accuracy, including periodic site visits.
- Transfers to Out-of-State C&D Processors: If transferring the material out-of-state, the in-state C&D Handling Facility arranging the transfer must provide documentation that the out-of-state processor conforms to the MassDEP MPSP performance criteria. (Note: The Massachusetts Waste Ban Regulation, 310 CMR 19.017, prohibits the disposal or arranging for disposal of any waste ban materials either in-state or out-of-state.) One commenter

suggested that MassDEP should develop a form to calculate the PSR that could be used to demonstrate that an out-of-state C&D Handling Facility conforms to the MPSP.

- Implementation Plan: At the time the C&D MPS Policy Statement is published, one commenter suggested simultaneously publishing an FAQ document with the questions raised at this meeting to help clarify policy interpretation and application.

4) Announcements/Updates

- RecyclingWorks provided an update on C&D Guidance Documents and Technical Assistance. Please visit the RecyclingWorks website for more information (www.recyclingworksma.com), or contact Abbey Massaro at abbey.massaro@cetonline.org.
 - RecyclingWorks and its Technical Assistance consultant for C&D projects, Linnean Solutions, are seeking C&D handling Facilities interested in working with construction management firms to increase recycling rates of recoverable materials.
 - This could potentially include addressing non waste ban materials for which good markets currently exist (e.g. mattresses), or materials which adversely impact the recovery of marketable materials when co-mingled (e.g. demo gypsum board)
 - A concern was raised about segregating gypsum board with no local markets currently available. MassDEP acknowledged that there is a fine balance between supply of recyclable materials and end markets, but we believe that if we can provide a more reliable supply of clean gypsum wallboard at higher volumes, it is possible that a wallboard recycling processor could then justify the investment of locating a facility in-state.
- MassDEP reported that the public comment draft of the 2030 Solid Waste Master Plan was published on 9/27/2019. The public comment period runs through 12/06/2019. The public comment draft is posted at www.mass.gov/guides/solid-waste-master-plan. Comments can be submitted to dep.swmp@mass.gov.
- MassDEP provided an update on the 2019 Recycling Business Development Grant (RDG) Program, which this year included clean gypsum wallboard as a target material. As of the deadline, no applications were received for this material. MassDEP will consider it again for the next RBDG round that is anticipated for March/April of 2020. For more information, please refer to the RBDG webpage at <https://www.mass.gov/how-to/recycling-business-development-grants>, or contact Josh Cook at joshua.cook@mass.gov.
 - One person asked MassDEP if it would consider making grant funding available to help C&D Handling Facilities make improvements to meet the new MPSP. MassDEP said it would take that under consideration when selecting target materials for the next round of RBDG applications.
- Bill Turley of the national Construction & Demolition Recycling Association (CDRA) provided an update on national issues of interest to the C&D industry, which included:
 - EPA/America Recycles Day (CDRA is participating in planning this event which will go live on or about 11/13/2019)
 - Recover Act: Effort at federal level to support better recovery of recyclable materials (probably through tax incentives, at least in part).
 - End Markets: CDRA is working to promote expansion of end markets through research and general guidance. Examples include: new market for recycled asphalt

SWAC C&D Subcommittee Meeting
MassDEP – Bureau of Air & Waste
October 30, 2019; 10:00 AM to 12:00 PM

- shingles on rural roads; study of mixing C&D Fines with Biochar to reduce H₂S generation and make C&D fines more re-usable
- Annual Meeting: C&D World in conjunction with ConExpo-ConnAgg (big equipment expo); go to CDRA website to register.
- Contact Bill Turley, CDRA Executive Director, at turley@cdrecycling.org for more details on any of the above
- EBCNE 14th Annual C&D Materials Regional Summit: The annual meeting is scheduled to be held on the morning of Thursday, January 20, 2020 at the Sheraton Hotel in Framingham. Please watch the EBC website for registration: <http://ebcne.org/calendar/>.

5) Closing/Next Steps

Next meeting of the C&D Subcommittee: The regular meetings of the C&D Subcommittee will resume in 2020; dates have yet to be determined. Once the dates are established, MassDEP will send out an announcement.

Respectfully,

Mike Elliott
Asbestos/C&D Program Coordinator
MassDEP - Bureau of Air & Waste
michael.elliott@mass.gov
617-292-5575