

SWAC C&D Subcommittee Meeting
MassDEP – Bureau of Air & Waste
May 25, 2022; 10:00 AM to 11:45 AM (Virtual Meeting via Zoom webinar)

Meeting Notes:

Recorded by: MassDEP and Recycling Works staff, edited by Mike Elliott (MassDEP)

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: <https://www.mass.gov/service-details/massdep-construction-demolition-subcommittee>. Comments can be submitted via email to Mike Elliott at michael.elliott@mass.gov.

Agenda

- Welcome/Introductions
- Summary of CY2021 C&D annual report data
- C&D Facility MPS Status
- C&D Industry Updates
- C&D Program Updates/Open Discussion

Welcome/Introductions

MassDEP welcomed participants to the webinar.

- Over 40 individuals registered for the webinar.
- Participants reflected a cross-section of stakeholders representing: C&D Material Processors and Transfer Stations; Material Recycling Processors; Recycling/Re-use End-Markets; Construction Management Firms; Public Utilities and their service providers, Waste Haulers; Trade Association Representatives; Industry Consultants; Attorneys and State/Municipal Officials.

Summary of CY2021 C&D Annual Reports

- MassDEP summarized the CY2021 C&D Facility Annual Performance data with the following slides:
 - Disposition of C&D Materials Handled by Facility in 2021 (bar graph)
 - Trend Chart of Inbound Material Accepted Over Time
 - Wood Products Trend Chart
 - Clean Gypsum Wallboard Separation Trend Chart
- The CY2021 C&D Facility annual report summary data can be found on the MassDEP website at the following link: <https://www.mass.gov/doc/2021-annual-cd-report-data-summary/download>
 - The inbound and outbound tonnages for CY2021 are summarized below:
 - Total material accepted: 2,554,078 tons
 - Inbound Mixed C&D Waste: 1,457,286 tons
 - Inbound Bulky Waste: 308,127 tons
 - Total Recycled-Reused: 248,893 tons
 - Diverted Material transferred to another facility for aggregation: 20,707 tons
 - Total Landfill Dependent Use Applications (i.e., ADC, Roadbase, Shaping & Grading): 62,261 tons
 - Total disposed via landfill/combustion: 1,297,230 tons
- Discussion about the “Disposition of C&D Materials Handled...” slide

- One of the representatives of the Construction Management firms eyeballed the facility bar charts and opined that none of the facilities could meet the recycling requirements for a LEED project.
- MassDEP reminded everyone that the Department does not calculate or track diversion rates (like what is required for LEED). It does track Process Separation Rate (PSR). The highest PSR of the facilities in CY2021 was around 34%. So to earn LEED waste diversion credits, a project may have to look to other strategies besides mixed waste processing, e.g. using an RCI certified facility, or recovering material through source separation.
- A concern was raised that separating more materials at the source could render the mixed loads value-less to the C&D Processors.
- MassDEP suggested another way to consider source separation would be to separate recyclable/reusable materials that are hard for C&D processors to separate in a mixed load (e.g. clean gypsum wallboard, carpet, ceiling tiles, treated wood, etc.)
- Discussion about the “Clean Gypsum Wallboard Separation Trend Chart” slide:
 - The three representatives of the Construction Management firms raised a concern that the nearest recycling outlet, USA Gypsum, is located hundreds of miles away in Pennsylvania; they opined that an outlet in closer geographic proximity might be economically advantageous and attract more material from local projects. (It is worth noting that there was another local outlet in Raynham for the past 4 or 5 years, but it never really found any allowable uses for the materials it collected.)
 - MassDEP pointed out that USA Gypsum has expressed interest to construct a facility in New England, but we first need to demonstrate that we can collect and supply more than the current 2,000 tons per year to make it an economically viable investment
 - Estimates are that there should be as much as 50,000 tons per year generated in Massachusetts alone.
 - MassDEP suggested that clean gypsum wallboard is best separated at the jobsite, not at the C&D processor; but that the C&D processors could continue to serve as aggregation points for the source separated material
 - Jennifer Griffith, the project manager for NEWMOA, reported on plans for a series of webinars and a stakeholder meeting hosted by NEWMOA and NERC for winter and spring of 2022/2023. The webinar series and stakeholder engagement would be intended to find a more regional response to encourage development of gypsum wallboard markets.

C&D Facility MPS Status

MassDEP provided a summary of the C&D Facility Minimum Performance Standard (MPS) Status as of 5/25/2022:

- The MPS status report is based on CY2021 C&D Facility annual report operating data and the 2021/2022 MPS monthly compliance reports.
- The status report can be found on the MassDEP webpage at the following link:
<https://www.mass.gov/doc/status-of-facility-compliance-with-cd-minimum-performance-standard-may-2022/download>
- For more information on the MassDEP C&D MPS and Waste Ban Regs, please refer to the following links on the MassDEP webpage:

- MPS Statement (Oct 2021): <https://www.mass.gov/doc/minimum-performance-standard-for-construction-demolition-handling-facilities/download>
- MPS FAQs (Oct 2021): <https://www.mass.gov/doc/frequently-asked-questions-faq-minimum-performance-standard-for-cd-handling-facilities/download>
- C&D Materials Waste Ban FAQs (Jun 2020): <https://www.mass.gov/doc/frequently-asked-questions-construction-demolition-materials-waste-ban/download>
- MassDEP Waste Ban Regulations and Guidance: <https://www.mass.gov/guides/massdep-waste-disposal-bans>
- MassDEP concluded this segment with a graph showing the “C&D Industry Recycle Rate/Process Separation Rate Trend Chart over time.”
 - The steady decline in operational performance that we have witnessed since 2013 has finally shown the first year-over-year improvement in 2021. It’s just a small incremental improvement from 16% to 18%, but it is not insignificant given that this improvement was achieved while the volume of inbound C&D materials processed continues to increase.
 - MassDEP attributes this improvement to the hard work of the C&D industry in Massachusetts to comply with the MPS through operational improvements and investment in new processing equipment.

C&D Industry Updates

CDRA National Perspective (<https://cdrecycling.org/>): CDRA Executive Director, Mr. William Turley, shared remarks about the following national issues:

- SEC Climate impact Reporting Requirements
 - Scope of phases 1 and 2 is limited to publicly held companies; but may also include privately held companies doing business with publicly held companies
 - Scope of phase 3 will address privately held companies
- Environmental Justice
 - Solid Waste Industry concerned this may result in loss of existing/new operating permits
- Update on LEED recycling credits
 - Certification requirement for processors contemplated
 - Next version may eliminate recycling as qualifying for points
- Maine Out of State Waste Ban
 - CDRA expressed concern that other states may want to follow Maine’s lead
- Mr. Turley announced that on 7/01/2022, he will step down as Executive Director of CDRA, and continue serving in an advisory capacity. Ms. Becky Caldwell will assume the role of Executive Director.

Wood Market Capacity Shortage

- Discussed the most recent market capacity shortage for A-quality wood chip at end of April due to regularly scheduled maintenance outage of the PRE-Greenleaf biomass boiler; compounding the problem for C&D processors, Tafisa was unable to absorb the extra available inventory of material.
- Two-days later, on 5/27/2022, MassDEP learned that PRE-Greenleaf suffered a sudden, unexpected outage of on the order of 60-90 days to repair an electric turbine.

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- As a result of this market capacity shortage, MassDEP has approved some temporary waste ban waivers for limited quantities of A-quality wood.
- Consultant for Northern Tree raised a separate concern about the 1-3 million tons of wood waste generated annually by “non-forestry” activities (including urban forest maintenance) as determined by UMass-Amherst.

Carpet Recycling

- An industry consultant reported that approximately two weeks ago, NY legislature passed an EPR bill for carpet recycling.
- In response to this, one of his clients, Circular Polymers (<https://circularpolymers.com/>) plans to construct a plant in NY that will be able to handle 100 million pounds of carpet by 3rd-quarter of 2023; and they expect to be able to handle 200 million pounds by 2025.
- Process is not limited to any one carpet polymer; accepts polyester material which accounts for 80% of carpet today

C&D Program Updates

MassDEP provided an update on the following Solid Waste Program initiatives:

- New Waste Disposal Bans go into effect 11/01/2022 (ref. <https://www.mass.gov/guides/massdep-waste-disposal-bans>)
 - Mattresses
 - Textiles
 - Food Waste Organics threshold reduced from 1 ton to ½ ton per week
- Revised Waste Ban Compliance Plan requirements
 - Due 8/01/2022
 - Affects all Large C&D Handling Facilities
 - Submittal on SW45 Permit application
 - Must incorporate new waste ban materials and MPS requirements
 - Refer to Waste Ban Guidance Document (<https://www.mass.gov/guides/massdep-waste-disposal-bans#-solid-waste-facility-compliance-assistance->)
- C&D Bulky Waste Study
 - Intended to address industry concerns
 - Conduct waste characterization study focusing on Bulky Waste (e.g., residential and commercial clean-out loads, etc.)
 - Obtain hard data on waste composition profile and percent recoverability for re-use/recycling markets
 - Field sampling conducted over 10 days in May 2022
 - Issue final report ca. July/August 2022
- Recycling Business Development Grants - CY22
 - Five C&D materials applications were received by 4/08/2022 deadline.
 - Finalist will be notified of grant offering soon; terms then need to be negotiated.
 - Grants will be awarded by the end of year.

END of Meeting Notes.