

MassDEP C&D Subcommittee

Via Webinar

May 20, 2021 10:00 AM to 12:00 PM



Welcome/Safety/Introductions

- Reduce the risk of COVID-19 transmission
- What you can do:
 - Get Vaccinated
 - Cover your face (if not vaccinated or in certain public spaces)
 - Socially distance (if not vaccinated or in certain public spaces)
 - Wash your hands
 - Be vigilant for symptoms
 - Stay home if you feel sick
- For information specific to Solid Waste Industry go to MassDEP webpage: <https://www.mass.gov/lists/massdep-solid-waste-policies-guidance-fact-sheets# covid-19->

Agenda

- Welcome/Safety/Introductions
- C&D Minimum Performance Standard Update
- Modified PSR Calculation
- Clarification of Specific Issues
- Next Steps
- Announcements/Updates

C&D MINIMUM PERFORMANCE STANDARD UPDATE

C&D Minimum Performance Standard

Goals and Objectives

Simply put...

Ensure that every ton of C&D debris is processed at an MPS-compliant facility

- Level the playing field for all facilities
- Recover maximum value from recyclable/re-usable materials
- Separate all waste ban materials
- Minimize tonnage sent for disposal – “Reduce Leakage”

C&D MPS Performance Criteria

- C&D MPS performance criteria:
 1. Achieve a 15% Process Separation Rate (PSR) minimum threshold;
 2. Demonstrate that all banned materials are separated to the greatest extent possible.
- Failure to satisfy either performance criterion constitutes a failure to comply with Waste Ban Regs and Waste Ban Compliance Plan
 - Cannot dispose or arrange for disposal of any C&D materials

Pathways to Compliance

- 3 options:
 - Improve operational performance to meet MPS
 - Transfer C&D materials to MPS-compliant facility for further processing
 - Accept C&D Residuals for disposal from MPS-compliant facilities

C&D MPS Implementation Plan

- 2017-2019
 - Discussed proposed MPS at numerous C&D Subcommittee Meetings
- CY2020
 - C&D MPS went into effect (1/01/2020)
 - MassDEP published Guidance and FAQs
 - MassDEP issued RFI letters
- CY2021
 - Facilities submit CY2020 annual report data (2/15/2021)
 - MassDEP analyzes MPS facility status; issue Preliminary MPS Status letters (5/31/2021)
 - MassDEP starts progressive enforcement (ca. 7/01/2021)

Preliminary MPS Status based on CY2020 Operating Data

MPS Status	C&D Processors	C&D Lg. Transfer Stations
MPS Compliant – Meet both Performance Criteria	7	1
Meet Only Criterion #1 (PSR Min. Threshold)	2	3
Meet Only Criterion #2 (Sep. all 4 C&D WB Mat'ls.)	2	2
Fail to Meet Either Criterion	7	7

Favorable Improvements

- Installed New Processing Line to achieve MPS compliance
 - Western Recycling (120 OBRRC)
- Intend to Install new processing lines
 - NEWD (Submitted permit mod)
 - UMM-Leominster (Permitted in ATO approval)
- Installed mechanical equipment to increase wood sep.
 - Recycling Solutions Raynham (RRSWPTS)
- Improved PSR operational performance
 - Casella Holyoke TS
 - Lenox Valley WTF
- Increased hours of operation
 - RWS Roxbury (formerly ReEnergy)
- Installed Containers to separate more WB materials
 - CCR-Brockton

MODIFIED PSR CALCULATION

Original PSR Calculation (ca. Oct. 2019)

- Process Separation Rate (PSR) is simply the quantity of material separated compared against total inbound material accepted

Process Separation Rate

$$= \frac{(Recycled + Biomass + Diverted)}{(Total\ Inbound\ Material\ Accepted - Inbound\ Processed\ Fines\ \&\ Residuals)}$$

- “Total Inbound Material Accepted” (in denominator): includes any inbound “C&D Waste”, “Bulky Waste” and “Source Separated Material”; excludes MSW or Processed C&D Fines & Residuals received, as allowed by Operating Permit)
- Diverted material: means separation of a specific type of C&D material (e.g. C&D wood) that is then transferred for further processing (i.e. sent and received as a separated material; not mixed C&D waste).
- Diverted material does **NOT** include landfill dependent uses (e.g. ADC, Roadbase, Shaping & Grading)
- Processed Fines & Residuals can only be generated by C&D Facility that meets/exceeds MPS performance criteria

Modified PSR Calculation (ca. Feb-2021)

- Modified PSR

Process Separation Rate

$$= \frac{(Recycled + Biomass + Diverted)}{(Total\ Inbound - Inbound\ Cat2\ Residuals - Transferred\ to\ MPS\ compliant\ facility)}$$

- Gives credit for C&D Material transferred to an MPS-compliant facility, but that doesn't count as "Diverted Material"
 - Unprocessed Mixed C&D Waste
 - Partially processed C&D Waste
 - Separated "Wood-heavy" loads and "C&D Wood" loads that require further processing to remove any remaining contaminants to meet recycling/biomass market specification
- Deducting the tonnage of transferred material from total inbound reflects the fact that the transferred tonnage is being fully processed in compliance with MPS at another facility, not at the TS that generated it.

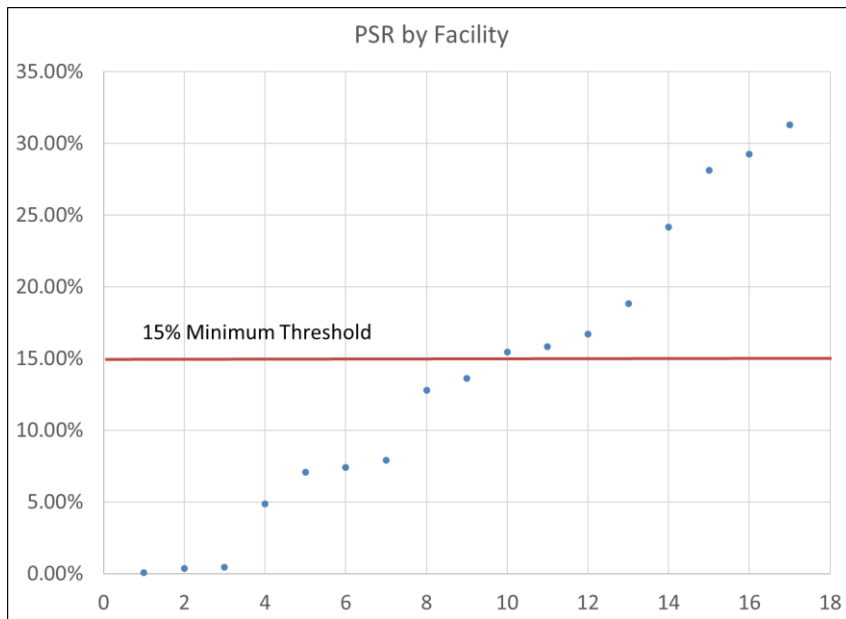
Address Impact of COVID-19 Pandemic

- MassDEP recognizes that CY2020 was a very challenging year for the solid waste industry.
- To address any potential COVID-19 impacts at C&D Handling Facilities, MassDEP evaluated the PSR for each facility in two ways:
 1. Calculated the PSR based on the full year 2020 data as reported; and
 2. Calculated the PSR for the full year less tonnages during the most severely impacted months of the pandemic, i.e. April, May and June of 2020.
- MassDEP then assigned whichever PSR calculation was the most favorable for the facility in determining CY2020 MPS status

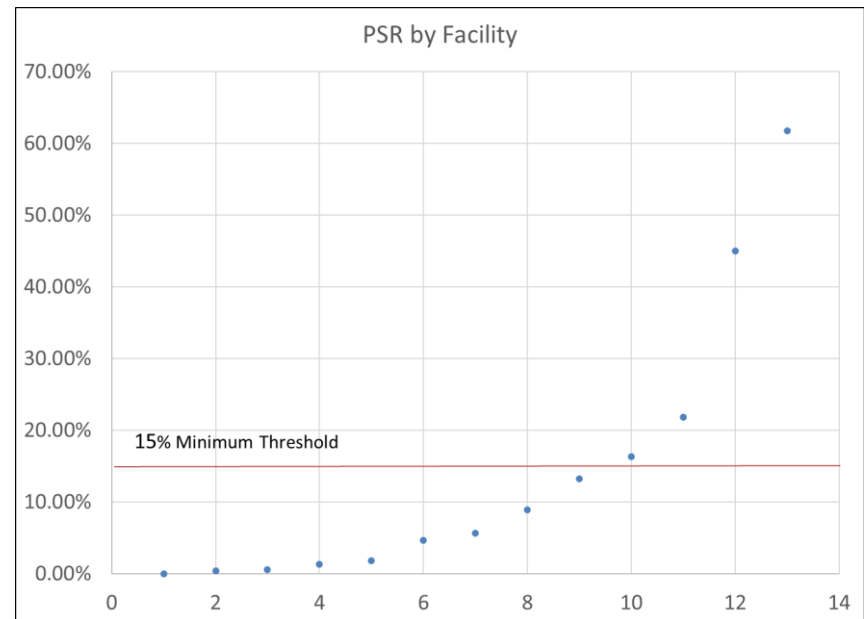
Process Separation Rate (PSR) Distribution

Based on Preliminary CY2020 C&D Facility A.R. Data Analysis

18 C&D Processors



13 Lg. C&D Transfer Stations



CLARIFICATION OF SPECIFIC ISSUES

Separated C&D Wood as “Diverted Material”

- "Diverted Material" means the material is sent and received as a separated material
 - it requires no further processing to remove potential contaminants; does not get run through the processing line;
 - it meets the recycling spec ‘as is’; and,
 - gets placed in the finished wood pile for, at most, grinding to an acceptable size as a finished product.

Management of Bulky Waste

For facilities that accept C&D only (not MSW):

- Expectation is that all waste ban materials will be removed from these loads.
- This could happen through kick sorting or running the material through a processing line, whichever is most appropriate for the facility's operations.
- Also, this can either happen at that facility or, in the case of a transfer station, these materials can also be transferred to an MPS compliant processor for processing

Management of Bulky Waste (Cont'd)

For facilities that accept both C&D and MSW,

- Loads that come in a packer truck and are essentially regular trash loads that may contain some bulky items can be managed as MSW.
- Loads that come in open top roll offs, box trucks, or dump trucks, that are not part of regular trash collection should generally be considered C&D/Bulky and managed accordingly under the facility's waste ban compliance plan.
 - Includes reporting these loads on the C&D Annual Facility Report form.
- Expectation is that waste ban materials in these loads will either be removed at the facility or sent to an MPS compliant facility for further processing.

Stockpiling of ABC

- MassDEP cautions against stockpiling of any material for extended periods of time to avoid the "speculative accumulation" prohibition
- Facility can take no credit for stockpiled ABC until it is crushed and put to some type of legitimate reuse as aggregate, for example:
 - moved onsite to an area for retail sale, or
 - moved offsite for reuse in construction

(Note: Coated ABC cannot be reused without approval of a site-specific BUD)

Clean Gypsum Wallboard

- All facilities must separate Clean Gypsum Wallboard per May-2013 Policy
(<https://www.mass.gov/doc/gypsum-wallboard-waste-ban-guidance-cd-handling-facilities/download>)
 1. Remove clean gypsum wallboard prior to any mechanical processing of the C&D waste load
 2. Not allowed to transfer mixed C&D waste loads that contain clean gypsum wallboard
 3. **To be eligible to receive mixed C&D waste loads**, a C&D handling facility must implement operating procedures to separate clean gypsum wallboard prior to transferring or processing C&D loads

NEXT STEPS

MPS Compliance Plans

- May-2021: MassDEP issues Preliminary CY2020 MPS Status Letters
- June-2021: Respond to Preliminary CY2020 MPS Status Letters
 - If MPS non-compliant
 - Submit plan to achieve and demonstrate compliance by year-end
 - Get approval from regional SWM Section Chief
 - If MPS non-compliant, but process changes already implemented to achieve compliance
 - Submit plan to demonstrate compliance by year-end
 - Get approval from regional SWM Section Chief
- July-2021: MassDEP issues Final CY2020 MPS Status Letters

Compliance & Enforcement

Starting July-2021:

- For MPS non-compliant facilities with no approved plan to achieve and/or demonstrate compliance by year-end
 - MassDEP may conduct compliance inspections
 - Based on findings, MassDEP may exercise progressive enforcement actions under Waste Ban Regulations
 - Return-to-Compliance conditions will address all deficiencies including MPS compliance

C&D MPS Resources

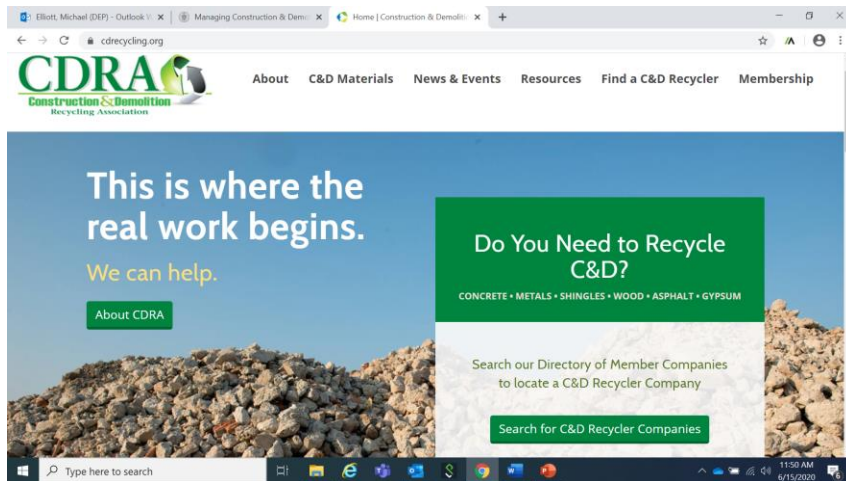
The following resources can be found on the MassDEP webpage...

- Minimum Performance Standard for C&D Handling Facilities:
<https://www.mass.gov/doc/minimum-performance-standard-for-construction-demolition-handling-facilities/download>
- C&D MPS Q&A Guidance:
<https://www.mass.gov/doc/frequently-asked-questions-faq-minimum-performance-standard-for-cd-handling-facilities/download>

ANNOUNCEMENTS/UPDATES

CDRA National Perspective

by Executive Director: Bill Turley (turley@cdrecycling.org)



<https://cdrecycling.org/>

- Environmental Justice, ESG, Climate Change
- End Markets
 - Mycocycle
 - Fines processing
 - Fines/Biochar
 - Concrete recycling paper
- WasteExpo/ other meetings

Any other business to discuss?

For More Information:

Point of Contact:

Mike Elliott

Asbestos/C&D Program Coordinator

MassDEP – Bureau of Air & Waste

One Winter Street

Boston, MA 02108

michael.elliott@mass.gov

617-292-5575 (office)

508-243-9087 (cell)