

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 analyzed MPS facility status; issued Preliminary MPS Status letters (6/10/2021)
 - MassDEP starts progressive enforcement (ca. 8/01/2021)

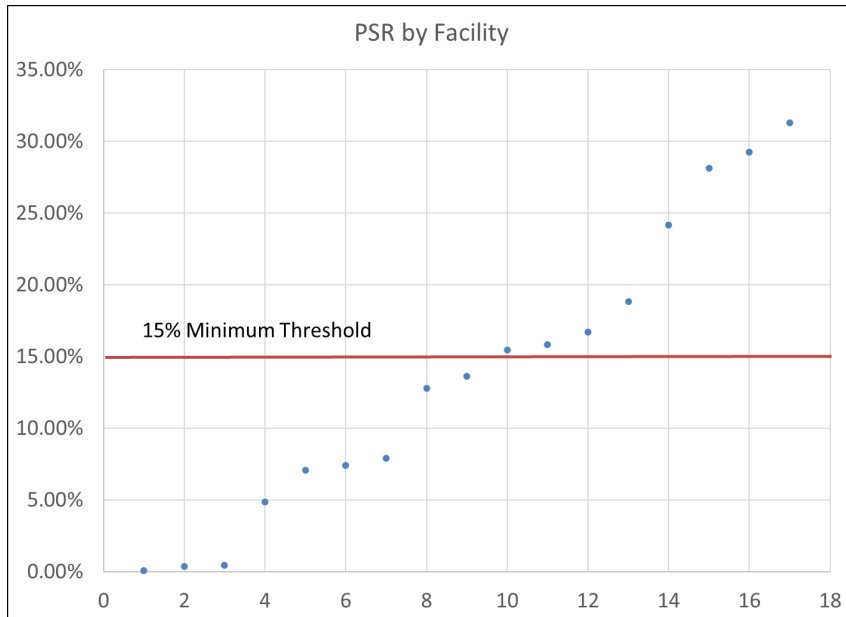
Preliminary MPS Status based on CY2020 Operating Data

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

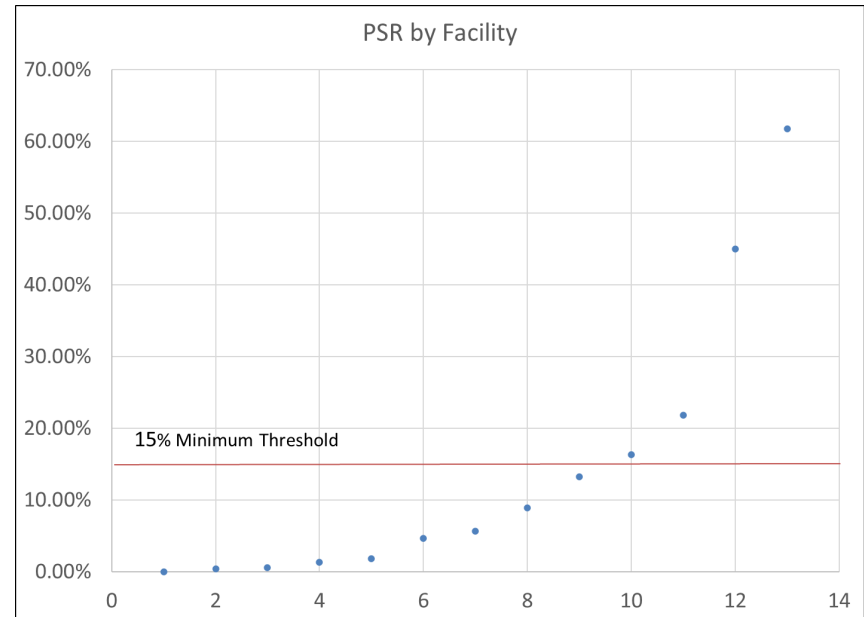
Process Separation Rate (PSR) Distribution

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

18 C&D Processors



13 Lg. C&D Transfer Stations



Favorable Improvements

- Installed New Processing Line
 - Western Recycling (120 OBRRC)
- Intend to Install new processing lines
 - NEWD (Submitted permit mod)
 - UMM-Leominster (Permitted in ATO approval)
 - Trojan Recycling (Conceptual Design Stage)
- 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

CLARIFICATION OF SPECIFIC ISSUES

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- Separated C&D Wood as “Diverted Material”
 - Must meet secondary market recycling spec with no further processing (other than size reduction)
- Management of Bulky Waste
 - MSW: manage as “failed-load” if above action level
 - C&D: Expectation is that all waste ban materials will be removed from these loads
- Stockpiling of ABC
 - facility can take no credit for stockpiled ABC until it is crushed and put to some type of legitimate reuse as aggregate
- Clean Gypsum Wallboard
 - separate clean gypsum wallboard prior to transferring or processing C&D loads (per May-2013 Guidance)

NEXT STEPS

MPS Compliance Plans

- June-2021: MassDEP issued Preliminary CY2020 MPS Status Letters
- July-2021: Facilities 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
- July-2021: MassDEP issues Final CY2020 MPS Status Letters
- Aug-2021: MassDEP publishes summary table of MPS status of individual facilities

Compliance & Enforcement

Starting August-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>

For More Information:

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MassDEP C&D Subcommittee Webpage:

<https://www.mass.gov/service-details/massdep-construction-demolition-subcommittee>