

**OPEN SESSION MINUTES  
WINNEBAGO COUNTY BOARD OF SUPERVISORS  
SOLID WASTE MANAGEMENT BOARD**

DATE: February 17, 2016

TIME: 9:00 a.m.

LOCATION: Sunnyview Landfill  
100 W. County Road Y  
Oshkosh, WI

PRESENT: Ken Robl, Vice Chairman  
Paul Eisen, Secretary  
David Albrecht (9:07 a.m. – 9:56 a.m.)  
Mike Easker  
Susan Locke  
Doug Nelson

EXCUSED: Pat O'Brien, Chairman  
Jerry Finch  
Gerry Konrad

ALSO PRESENT: John Rabe, Director of Solid Waste  
Kathy Hutter, Confidential Secretary  
Kurt Pernsteiner, Facility Manager  
Jennifer Semrau, Recycling Coordinator (9:00 a.m. – 9:27 a.m.)  
John Fink, County Executive Assistant

1. Call to Order: K. Robl called the meeting to order at 9:00 a.m.
2. Approve Agenda: Motion to approve the February 17, 2016 agenda, with adjustments to move Items 8 and 9 before Item 6 made by P. Eisen and seconded by M. Easker. Motion carried 5-0.
3. Public Comments on Agenda Items: None.
4. Announcements/Communications: J. Rabe explained to the Solid Waste Management Board (SWMB) that the 2016 Chevrolet Equinox purchased for marketing, travel to business meetings, and running errands has been decaled to advertise the SW Department services and Container Rental Program. FastSigns of Appleton completed the work on February 17, 2016.
5. Approval of Minutes – February 4, 2016 Open and Closed Session: Motion to approve the February 4, 2016 open and closed session minutes, made by P. Eisen and seconded by S. Locke. Motion carried 5-0.

8. Discussion – Legislative Update: J. Semrau presented the Legislative Update to the SWMB as follows:

Senate Bill (SB) 340/Assembly Bill (AB) 515

- The 2015-2017 State biennial budget cut grant funding for Responsible Units (RUs) by \$4 million (M) in the first year of the biennium. Current funding is at \$19M (reduced from \$32M in 2011). SB340/AB515 would restore \$3M (initially proposed as \$2.3M) with a subsequent amendment after a new analysis by the Legislative Fiscal Bureau increased the projection in the Environmental Management Account (EMA). The EMA is the source of RU grant funding that comes from the \$7/ton fee assessed on solid waste disposed of at landfills – typically generates \$32 to \$36M annually.
- The Joint Finance Committee took up SB340/AB515 on February 11, 2016 and the bills successfully passed out of Committee. The bills are now ready for scheduling for the full Senate and Assembly.
- SB340/AB515 have bi-partisan support and are widely supported by both public and private recyclers along with national and statewide recycling organizations.

SB601/AB730

- SB601/AB730 seek to limit the authority of political subdivisions to regulate the use, disposition or sale of “auxiliary containers.”
- SB601 was introduced by Senator Roger Roth (R-Appleton) on January 22, 2016 and AB730 was introduced by Representative Mike Rohrkaste (R-Neenah) on January 15, 2016.
- According to the Wisconsin Legislative Council Memo, AB730 generally prohibits cities, villages, towns and counties from doing any of the following relating to “auxiliary containers:”
  - Enacting or enforcing ordinances or adopting or enforcing resolutions regulating the use, disposition or sale of auxiliary containers.
  - Prohibiting or restricting auxiliary containers.
  - Imposing fees, charges or surcharges on auxiliary containers.
- AB730 defines “auxiliary container” to mean a bag, cup, bottle, can or other packaging that is all of the following:
  - Designed as reusable or single-use.
  - Made of cloth, paper, plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or similar material.
  - Designed for transporting or protecting merchandise, food or beverages from a food service or retail facility.
- While AB730 states it “does not limit the authority of a political subdivision in operating a curbside recycling or commercial recycling program or in designating a recycling location” it still appears AB730 would conflict with the state recycling law and corresponding regulation (Chapter 287 of WI State Statutes and WI Administrative Code NR544) requiring communities to enact and enforce ordinances pertaining to the ‘disposition’ of recyclables identified in the recycling law.
- The motivation behind AB730 is to prohibit local communities from implementing local bans (for instance New York City banning Styrofoam containers) or implementing local fees (for instance a \$0.10 charge on plastic bags).
- Another unintended consequence may be the inability of a community to collect fines on litter or a recycling facility or waste collection service imposing fees or charges.

- The recycling/solid waste industry first became aware of this proposal a couple of weeks ago and members of the Associated Recyclers of Wisconsin (AROW) Government Affairs Committee (Chaired by J. Semrau) have outreached to various legislators on these implications.
- This legislation has been moving quickly, with two (2) Senate Amendments, three (3) Assembly Amendments, public hearings on both bills and passage out of Committee on the Assembly version. AB730 has been scheduled for the full Assembly on February 16, 2016.
- Counties/cities, League of WI Municipalities and WI League of Conservation Voters have all registered in opposition to the AB730, with the likes of American Progressive Bag Alliance, American Chemistry Council, WI Grocers Association, Alliance of WI Retailers, WI Beverage Association, WI Manufacturers & Commerce (WMC), WI Paper Council, WI Independent Businesses, WI Restaurant Association, etc. registering in support.

SB621/no AB version

- Introduced by Senator Mark Miller (D-Monona) on January 22, 2016.
- SB621 seeks to improve the state's electronics recycling law (E-Cycle Wisconsin), based on recommendations and challenges identified in Wisconsin Department of Natural Resources' (WDNR) most recent E-Cycle annual report to the legislature.
- Currently, manufacturer targets are not keeping up with actual recycling. The primary reason for this is the continued light-weighting of today's electronics (manufacturer targets are based on sales) versus the weight of material being collected (old, heavy televisions and CRT monitors).
- SB621 modifies recycling targets, helping manufacturers to better meet recycling goals and subsequently improve the effectiveness and affordability of electronics recycling.
- Further enhancements include:
  - Adding video game consoles, photo printing devices, most video display devices and clarifying other definitions.
  - Requiring 10% of a manufacturer's total target recycling weight to come from rural counties.
  - Changing the program from a fiscal year to a calendar year.
  - Expanding the program to include private and charter schools.
  - Reducing registration fees for small manufacturers.
  - Improving manufacturer and recycler reporting requirements.
- The public hearing was held on February 3, 2016. SB621 passed out of Committee on February 15, 2016 as available for scheduling.
- Milwaukee, Clean WI and WI League of Conservation Voters have all registered in support of SB621, with the Consumer Technology Association registering against it.

Discussion ensued amongst the SWMB.

9. Discussion – 2015 Electronics and Bulb Recycling Report: J. Semrau presented the following 2015 Electronics and Bulb Recycling Report to the SWMB.
  - Winnebago County (WC) continues to see the electronics recycling program tremendously utilized.

- As previously discussed, WC became a ‘collector’ under the State’s E-Cycle Wisconsin program (which began on January 1, 2010), under which ‘eligible electronic devices’ from households and K-12 schools are accepted; business material is not accepted.
- From January 1 - June 30, 2015, WC used Sims (electronics recycler) which accepted both eligible and non-eligible devices for \$0.00/lb.
- Sims contract came up for renewal on June 30, 2015. Sims notified WC that they were not interested in renewing. WC developed and issued a Brown, Outagamie and Winnebago County (BOW) electronics recycling RFP in April 2015. In May 2015, the SWMB awarded the Electronics Recycling Services (SW06-15) contract to R3NEW (Neenah, WI) which charged a fee of \$0.15/lb. for both eligible and non-eligible devices.
- In October 2015, R3NEW indicated it could no longer handle the volume of electronics and the number of CRTs that were recycled through the WC and OC programs. R3NEW asked to be released of the contract and recommended Dynamic Recycling (Onalaska, WI), which would honor the same rate \$0.15/lb. for electronics recycling services. WC agreed to terminate the contract with R3NEW and began using Dynamic Recycling in November 2015.
- From January 1 – June 30, 2015:
  - WC collected 883 electronics (computer CPUs, printers, monitors, laptops, VCR/DVD players, etc.) and charged customers \$2/unit. Electronics recycling fees yielded \$1,766.
  - WC collected 1,687 TVs. Fees for TVs were \$5/unit (less than 32”) and \$10/unit (32” and larger). TV recycling fees yielded \$10,990.
- From July 1 – December 31, 2015:
  - WC increased electronics and TV recycling fees to accommodate the newly contracted vendor rates.
  - WC collected 750 electronics and charged customers \$5/unit. Electronics recycling fees yielded \$3,750.
  - WC collected 1,460 TVs. Fees for TVs were \$15/unit (less than 32”) and \$20/unit (32” and larger). TV recycling fees yielded \$24,340.
- In 2015, WC collected 334,909 pounds of electronics for recycling, down from 351,276 pounds collected in 2014.
- In 2015, WC paid \$23,621 for electronics recycling services (July 1 – December 31, 2015) and collected \$40,407 in electronics recycling fees, fully covering program expenses.
- WC also continues to offer the service of bulb collection for recycling.
- Over 13,500 bulbs were collected for recycling in 2015, up slightly from 13,000 bulbs collected in 2014.
- WC uses Lamp Recyclers (Green Bay, WI), which charged WC \$2,235.85 for bulb recycling services in 2015.
- WC collected bulb recycling fees of \$0.25/bulb (4’ or shorter) and \$0.50/bulb (longer than 4’) which amounted to \$3,581.25, fully covering the above expense.

Discussion ensued amongst the SWMB.

6. Discussion – Sludge Site Operations Report: J. Rabe presented the following Sludge Site Operations Report to the Solid Waste Management Board (SWMB).
- The last Sludge Site Operations Update was given at the February 4, 2016 meeting.
  - Riverview Construction (Riverview) continued construction of interior drainage improvements in the south horseshoe area installing perimeter/finger drains and sumps; progressing in central sections of horseshoe as ash placement progresses.
  - Riverview continued with Project 1 - placement of a 2' thick ash stabilization layer (beneficial use) over the entire south horseshoe area (40-50 truckloads/day); have hauled and placed approximately 12,500 tons of fly ash through February 15, 2016.
  - Wisconsin Public Service (WPS) approved the Project 2 area - plan to extend 2' ash stabilization layer placement to the north in areas where sludge filling is at revised design grades; this area will also include interior drainage improvements.
  - For dust control, Riverview is hauling and placing a thin layer of Weston bottom ash over the completed 2' fly ash stabilization areas (billing rate same as fly ash).
  - Riverview continued providing operational assistance; mixing 6 loads of ash/day with incoming sludge, improving sludge grading/drainage and covering exposed areas with additional ash.
  - Temporary 4" piping connection at GV-2 to the active landfill gas (LFG) system – some vacuum is being applied to GV-1, 2 and 3; the trial solar vent flare at GV-10 is not functioning (not enough gas) – plan to relocate to center horseshoe sump when Project 1 is complete.
  - Redesigned waste filling grades on north end of sludge site – 8% grade was selected instead of current 10% grade approved by WDNR; yields ~80,000 cubic yards of remaining airspace (~1 year).
  - Topographic survey performed on February 16, 2016 – will be used to develop limits of 2' ash stabilization (extent of Project 2) and assist with filling plan preparation.

J. Rabe explained to the SWMB that the ongoing ash placement (Project 1) has limited noticeable odors to a smaller area, and Project 2 should seal up the remaining areas. Future Sludge Site Operations will focus on minimizing the active area of the Sludge Site and limit the time frame when sludge is exposed to the elements.

Discussion ensued amongst the SWMB.

7. Discussion – Landfill Gas Operations Report: J. Rabe updated the SWMB with the following landfill gas operations report.

Landfill Gas Operations – February 15, 2016			Meter Op. Hours	One-Week Runtime
Engine #1	Running at 987 KW		42532	168
Engine #2	Running at 987 KW		41950	167
Engine #3	Running at 987 KW		11967	167
Engine #4	Off		5420	101
Engine #5	Running at 1426 KW	Back on-line 2/12	6661	64

Sunnyview Compressor	Compressor A running at 78%; B-Off. Pipeline outflow = 1380 scfm.	Comp. B VFD fail; scheduled to be replaced on 2/16.		
Sunnyview Flare	Flare – Off; Vacuum = -19’’ wc; Blower 103/104 running at 55%; 105-Off			
Sunnyview Gas Field	CH4 = 52.9% O2 = 1.2%			
Snell Rd Flare	Flare – On; Flow = 67 scfm; Vacuum = -16.0’’ wc			
Snell Rd Gas Field	CH4 = 46.0% O2 = 3.1%			

- WPS/Highway Revenues were \$209,447 for January 2016. January 2016 revenues were up slightly, compared to January 2015 (\$203,961). Repairs to Engines 2 and 3, along with planned decoking of Engine 2 reduced January 2016 revenues from the Snell Road facility.
- Foth Infrastructure & Environment (Foth) is onsite performing monthly gas monitoring at both Snell Road and Sunnyview landfills this week; will follow with Quarter 1 Surface Emissions Monitoring starting on February 22, 2016.

Discussion ensued amongst the SWMB.

10. Future Agenda Items: None.

11. Set Next Meeting Date: The next SWMB meeting date is scheduled for March 16, 2016 at 9:00 a.m. (a quorum of SWMB members is not available on March 2, 2016).

12. Adjournment: Motion to adjourn made by M. Easker and seconded by S. Locke. Motion carried 6-0. Meeting was adjourned at 9:56 a.m.

Respectfully Submitted,

Kathy Hutter  
Confidential Secretary

**Approved by SWMB – March 16, 2016**