

# Waste Panel Meeting #4

1.14.2020

## Attendees

### Chair (present):

- Martin Brand, Deputy Commissioner, New York State Department of Environmental Conservation

### Members present:

- Michael Cahill, Partner, Germano & Cahill, P.C.
- John W. Casella, Chairman, CEO, and Secretary, Casella Waste Systems
- Steve Changaris, Vice President, Northeast Region, National Waste and Recycling Association
- Resa Dimino, Senior Consultant, Resource Recycling Systems
- Dan Egan, Executive Director, Feeding New York State
- Jane Atkinson Gajwani, Director, Energy and Resource Recovery Programs, NYC Department of Environmental Protection
- Paul Gilman, Senior Vice President and Chief Sustainability Officer, Covanta
- Dereth Glance, Executive Director, Onondaga County Resource Recovery Agency
- Eric Goldstein, Sr. Attorney and New York City Environment Director, Natural Resources Defense Council
- Allen Hershkowitz, Founding Director and Chairman of the Board, Sport & Sustainability International
- Bernadette Kelly, International Representative & Recording Secretary Teamsters Local 210
- Tok Michelle Oyewole, PhD., Policy and Comms Organizer, NYC Environmental Justice Alliance
- Lauren Toretta, President, CH4 Biogas
- Brigitte Vicenty, Founder, Inner City Green Team

### Members not present:

- George Bevington, Senior Project Manager, Barton & Loguidice

### Key staff present:

- Sally Rowland, New York State Department of Environmental Conservation
- Molly Trembly, New York State Department of Environmental Conservation

### Guests in attendance:

- Bridget Anderson, New York City Department of Sanitation
- John Fischer, Massachusetts Department of Environmental Protection

## Welcome:

Martin previewed the agenda

- Introduction and housekeeping
- John Fischer – MassDEP Food Program
- Bridgette Anderson – NYC Food Program
- Draft recommendation slides
- Future meetings

## Presentation: John Fischer on Massachusetts' Waste Program

- Sally Rowland, Introduces John Fischer, who is Deputy Division Director for Solid Waste Materials Management at MassDEP.
- John Fischer gives presentation on Massachusetts' Waste Program

### Discussion:

- Eric: We believe anaerobic digestion has a role to play and is a positive response to landfilling and incineration; but composting offers the largest benefits in those two categories.
  - John: We do not have a clear hierarchy on diversion options. Our approach is just that these are all better alternatives than landfill and combustion. So in working with businesses, we ask what works best for them. It is often a function of whatever infrastructure is most available to them.
    - Anaerobic digestion facilities looking at putting some degree of screening for food waste stream. If can do this, can do more front of the house option.
    - We do try to work across the board. Have grant programs that support anaerobic digestion and composting.
    - For odor and other concerns, we have a technical assistance program to help them address.
  - Eric: Do you require that the digestate be composted or otherwise beneficially reused at the end of the anaerobic digestion process?
  - John: Depends, but most of the time yes. Most of ours are farm based. There are two streams. One is high solids, typically on floor of dairy barns (replacing sawdust), second is liquid component which they typically find can be used on site.

- Allen: I was with NRDC, serve on UN's CCC. Biden team plans to rejoin Paris Agreement. National level determined targets are a key part. There we'll have to have amalgamated estimates from states. Do you have plans to pair the GHG reduction benefits associated with composting and anaerobic digestion? For purposes of Paris Agreement and developing national plan, do you have plans to measure the actual benefits achieving from the diversion and if so, what kind of benefits do you anticipate achieving?
  - John: In MA, we have the GWSA, and statewide reduction goals. We are working towards getting towards zero GHG emissions. There is an inventory-based accounting approach which that is based on. That does include facilities. I'm not directly involved in that accounting but can connect you to the right people. That would include the management for solid waste facilities and anaerobic digestion facilities.
    - We also feel like for multiple reasons the best solution is to prevent food waste at the source. This includes reducing waste and seeing if it can be used as food.
    - See if it can be used as energy or as animal feed etc, that helps people understand the volume of their food waste, which either allows them to reduce waste at the source or use it differently.
  - Dereth: Enforcement- who does that? How? How many people?
    - EP Staff, waste management inspections- 2 groups
      - Some staff in Boston office who go out and do inspections
      - Also 4 regional offices. A number of people, typically a percent of each person's time.
      - COVID has thrown it a bit off. Previously 250-300 inspections per year. Each inspection reviews ~30-50 loads of trash (equates to over 5000 loads total inspected)
      - We'll only issue a violation if we see a repeat violation for the same entity.
  - Lauren: Thank you for the presentation. You've mentioned an increase in de-packaging and other abilities. You spoke about the loan program. Are there any other incentives you've used or seen used to build out the infrastructure and help support the ban once it's in place? Interested in both financial and non-financial incentives?
    - John: Several ways we've tried to help, maybe not all incentives.
      - 1. Streamline permitting to make it clearer and more predictable process.
      - 2. MassCEC has also provided several categories of grants for anaerobic digestion over the years. One was a feasibility analysis (e.g. feedstock assessment- is there enough material in a location to adequately source feedstock). They also qualify for renewable energy credits.
      - 3. Through our recycling program, we try to drive business their way. Not to a particular facility, but just whichever is the best fit. That's part of what happens through our enforcement.
  - Steve: Just for this audience, obviously the disposal ban was associated with a plan. The dilemma when we first rolled this out is that we didn't have a lot of capacity. Now we've seen more capacity come online. You're scaling generation significantly. The real point for this group is a pretty much entirely private ground-up solution.

- You've let the solutions be technology neutral.
- Some of the people who have built this have relied on renewable energy credits. This is an ongoing development process. Relying on a lot of government incentives, but it's really a business model that depends on the economics to get materials diverted. Is that fair?
  - John: Yes, generally. I think we would double the number of generators from about 2000 to 4000, but generally right.

## Presentation: Bridget Anderson on NYC's Waste and Sustainability

- Sally introduces Bridget Anderson, Deputy Commissioner for Recycling and Sustainability at NYC Department of Sanitation
- Bridget gives a presentation on New York City's Waste and Sustainability

### Discussion:

- Tok: we know that there are budget difficulties in light of the pandemic, around this time last year when the budget was announced, there was a planned reduction for waste, sanitation, why do you think that was and do you think there will be a prioritization of diverting waste
- Bridget: Grant program has been a lifeline for us and we're looking to see how we can leverage ongoing relationships with state grants. We've made painful cuts and there's only going to be more that we're anticipating. Question is whether this is discretionary or mandatory program. There are many tradeoffs that are being determined within administration and City Council. There's no good story about the budget crisis. Hopefully we'll get federal assistance to unlock ability to do some of these things again.

## Subgroup Presentations

Each subgroup presented on their work to date, including emerging strategies. Outlined below are high-level information from their presentations, please see slides for more detail. The summary of the subgroup presentations is followed by the discussion among advisory panel members.

- **Local Scale Diversion Climate Justice – Brigitte Vincenty**
  - Maximize waste diversion in low-income communities
- **Resource Recycling Systems – Resa Dimino**
  - Waste Reduction and Recycling - Expand Extended Producer Responsibility (EPR)
  - Waste Reduction and Reuse - Materials Exchange and Repair Investments
  - Recycling and Reuse of Construction & Demolition (C&D) Debris
  - Improve Recyclables Markets
  - Improve Traditional Recyclables Markets
  - Organic Waste Reduction and Recycling
- **Organic Diversion and Landfills – Lauren Toretta**
  - Reduce methane and other emissions from landfills and waste management facilities
  - Increase organic waste diversion and reduce disposal
  - Align and expand incentives for energy recovery from waste
  - Ensure waste infrastructure exists to serve the needs of communities
  - Energy Floor Price for Expedited Infrastructure Build-out
  - Measuring Effectiveness

- Need to determine best incentive methods to be effective and efficient
- **Water Resource Recovery Facilities – Jane Gajwani**
  - Minimize Fugitive GHG Emissions from wastewater
  - Recovery Energy from Wastewater
  - Recognize the climate benefits of beneficially using WRRF biosolids
  - Provide a local outlet for recycling organics and other high strength waste through co-digestion at WRRFs

Discussion:

- Allen: We really need data for protocols to be attached to all these recommendations. It's important for guiding state policy. We also need to attach some quantitative estimates. Equally important is what was mentioned earlier, that President Biden in a week will take office and we'll rejoin the Paris Agreement, of which nationally determined contributions to GHG reductions. Those contributions are built on state level data. Measuring what we know about our current profile regarding waste is important for both state and US-Paris agreement. I serve on the UNCCC and measurement is front and center in our discussions.
- Chair Martin Brand: We're setting up internal discussions on measurement and cataloging progress.
- Allen: This is particularly important as relates to anaerobic digestion and composting. However, investment levels between these two are not parallel, but needs to be evaluated given differences in methane generation. This would be where to start in terms of measurement.
- Steve: Nothing about the Massachusetts program has been easy, but what else is new when you have a solid waste discussion. We're all aligned on higher and best use. We all want to put forward our best foot get there. The tension is we all want new age and higher and better use programs. However, on Massachusetts side, we've had considerations about right volume and we all want it to happen tomorrow but it will take some time.
  - We need a bridge. If we want interim programs up and running to get us to the law's climate reduction goals. We need the 5-10-15 year framework regarding what technologies and controls are needed along the way, and work it into the transition. The issues on incentives, renewable natural gas, we'll have to address them.
- Resa: I want to add to that with a different spin. We need to be careful about where we place incentives vs. regulatory requirements.
  - New York state has had a pretty consistent position that waste is not a renewable resource, therefore energy generated from it should not be incentivized. That's reasonable and rationale. Doesn't mean we shouldn't capture energy at those places. We should. As opposed to capturing energy as a byproduct, those should get incentives. Want to highlight this on gas, but also around where we're recommending incentives and regulation. Real opportunity is reduction, reuse, and composing (and more). If we incentivize differently, could undermine the goal.
  - Feels there's not a very bright line.
- Dereth: I don't think there's as bright a line as you'd like there to be.
  - That's the beauty and challenge of waste.
  - The metrics of how we value the hierarchy.

- Anaerobic digestion may be better than composting in certain situations and vice versa for instance.
- I think it's more complex and it's important to have measurement tools that allow low emission decision making to happen at all levels.
- I also want to go back to context of NYC lower budget context. Preserving programs we do have- e.g. refrigerant collection- will be key as we see how budget cuts will affect municipalities across the board.
- Chair Martin Brand: Regarding what Resa said on biogas and renewable energy credits, we will have more discussions. I think there is some bright line in terms of how the statute is set up and CLCPA is structured.
  - We've been trying to let subgroups put everything out there, but as we get farther in the process we'll have to further define and make prioritizing decisions and focus our discussions in terms of the incentives.
- John: I think I understand what you said and that may well be the direction ultimately. The position Resa laid out is inconsistent with the EPA. We need to improve the facilities without impacting higher and better use. When you look at practical aspect of the conversation we're having and information presented by MA, after over a decade, it's 300k tons. Reality is we have hugely successful programs from diversion standpoint. Existing facilities have a role long term to provide proper disposal of materials. That's a reality that may very well be. We need the landfill facilities as part of an overall waste management infrastructure. It is an asset that we can divert from as much as possible over time.
- Eric: Charge of this group under CLCPA is to identify the biggest bang for buck in terms of GHG reductions.
- Allen: That's how I see it too. I do want to associate myself strongly with what Resa said. it's pretty clear that you can't make materials made from non-renewable resources and let them decompose and call that a renewable resource.
- Next Steps – Chair Martin Brand
  - Preparing for January 19<sup>th</sup> meeting presentation
  - Future panel meetings
  - Public comment period (aiming for February)
  - Public inbox monitoring.

## Questions

- Mike: Meetings on what's renewable and what's not; and also a discussion on measurement.
- Molly: Yes, there is a meeting upcoming on measurement.
- Chair Martin Brand: We'll try to squeeze in discussion on the broader renewable energy issue as well.
- Sally: Bioenergy meeting also scheduled.