WASTE TIRE ADVISORY COMMITTEE (WTAC) MEETING

November 8, 2012

CDPHE Denver, Colorado

I. Call to Order and Introductions

a. Vice-Chairman Chris Houtchens called the meeting to order.

b. Waste Tire Advisory Committee (WTAC) Members, Hazardous Materials and Waste Management Division (HMWMD), Division of Environmental Health and Sustainability (DEHS), and Attorney General Office (AGO) staff, and other attendees' introductions.

   i. WTAC members in attendance: Chris Houtchens (via phone), Larry Hudson, Charles Johnson, Trent Peterson (via phone), Scott Skorka, and Rick Welle.

   ii. CDPHE staff: Shana Baker, Nick Boudreau (via phone), and Brian Gaboriau.

   iii. AGO staff: David Banas, Patrick Pfaltzgraff.

   iv. Other attendees: Jason Chan (Waste Management), Alan Greer (Geocycle), Rusty Hardy (Jefferson County Sheriff's Office), Teresa Immel (CTR/AT&T)

II. General Business

a. Approval of October 4, 2012 meeting minutes.

   i. Motion for approval of the October 4, 2012 minutes.

      1. WTAC motion to approve the October 4, 2012 passed unanimously.

   ii. Approved minutes will be posted at the Hazardous Materials and Waste Management Division Waste Tire Advisory Committee website: http://www.colorado.gov/cs/Satellite/CDPHE-HM/CBON/1251617146350 .

b. Other General Business

   i. Shana indicated that Jim Reid had mentioned to reduce the number of meetings in 2013 to every other month.

      1. Chris Houtchens asked if WTAC members would be receptive to this. Member feedback was that they would like WTAC meetings be held every other month, but with the ability to add a meeting on the off month if needed.

      2. Motion to set 2013 WTAC meetings, starting January 2013, to every other month on the second Thursday of the month, with the caveat that meetings can be scheduled for the off month if needed.

         a. WTAC motion to approve the 2013 meeting minutes was passed unanimously.

i. 2013 WTAC meetings scheduled for January 10, March 14, May 9, July 11, September 12, and November 14.

ii. Shana Baker indicated that the Governor's Office of Boards and Commissions contacted her regarding three WTAC appointments.

1. Chris Houtchens was reappointed as the Waste Tire Hauler representative.
2. Larry Hudson was reappointed as the Tire Manufacturers representative.
3. Rusty Hardy of the Jefferson County Sheriff's Office was appointed as the Law Enforcement representative.
   a. Rusty Hardy was welcomed and introduced.
   b. Once the Governor sign's the Executive Order for Rusty's appointment, Rusty will be able to participate as a WTAC member.

III. Waste Tire Program Update – Shana Baker & Nick Boudreau

a. Waste Tire Fire Prevention Fund & Law Enforcement Grant Fund –

i. Waste Tire Fire Prevention Fund (WTFPF) – Request for Application (RFA) and application was released on October 1, 2012 – sent to various fire and first- responder organizations and the WTAC.

ii. Law Enforcement Grant Fund (LEGF) – Request for Application (RFA) and application was released on October 5, 2012 – sent to various fire and law enforcement organizations and local health departments and the WTAC.

iii. WTFPF and LEGF applications are due November 16, 2012.

iv. The question period for the WTFPF and LEGF ended October 17, 2012 at 5 pm.

1. Only received questions from one agency – posted questions and answers on the HMWMD Waste Tire Program website.
2. Per contract rules to maintain fairness among applicants, only those questions that were received by e-mail before the question deadline were answered.

b. Processor End User and Section 10 Regulations

i. Proposed regulations will be presented to the Solid and Hazardous Waste Commission on November 20, 2012.

ii. Brian will have additional information during his update.

c. Outreach

i. Colorado Counties Incorporated – Exhibitor at this conference at the end of November to highlight the Waste Tire Program, focusing on the grant programs.

1. Brian, Shana, and Nick will participate.

d. Beneficial Use of Waste Tires in Agricultural Activities Stakeholder Process

i. Nick is overseeing this.

ii. The first stakeholder meeting is November 16, 2012 from 1–3 pm at CDPHE.

iii. A follow-up email will go out to potential stakeholders regarding the meeting.
    1. Meeting will include a brief Powerpoint presentation of the solid waste regulations (Sections 8 and 10 roles) and an overview of the stakeholder process to move this process forward.

IV. Waste Tire Grants & Funds Update – Brian Gaboriau

a. Recycling Incentives Grant
    i. Ongoing – Two sites have completed their projects.
b. Illegal Tire Cleanup Fund
    i. Three active cleanups in El Paso County.
c. Processors/End User Reimbursement Program
    i. Available payout amounts.
        1. 1.1 million dollars for August 2012 applications.
        2. Estimated $600,000 for September 2012 applications.
    ii. Rick Welle asked when the spending limit is anticipated to be met.
        1. Brian indicated that it is looking like it will be either for the January or February 2013 applications.
    iii. Brian indicated that he is not able to discuss the spending authority.
d. Processor End User and Section 10 Regulations
    i. Four separate stakeholder meetings were held.
    ii. The regulations and statement of basis and purpose were filed with the Secretary of State's office.
        1. Link to the regulations and statement of basis and purpose is on the DEHS Waste Tires website.
        2. Comments submitted to the Secretary of State will be given to the Solid and Hazardous Waste Commission.
    iii. The proposed regulations will be presented to the Solid and Hazardous Waste Commission on November 20, 2012 at CDPHE in the Sabin-Cleere room. The meeting starts at 9 am.
        1. Anyone can come to this meeting and comment on the regulations.
        2. If approved, the regulations are projected to go into effect on January 1, 2013.
    iv. Brian and Shana summarized the proposed changes to the Processor & End User and Section 10 regulations and asked if there were any questions.
        1. Teresa Immel asked if the Department needs a recommendation of approval from the WTAC.
            a. No, this is not required.
e. Market Development Plan
    i. Tetra Tech will be in the state the week of November 12th to continue their interviews with waste tire generators, transporters, monofills, processors, and end users and with CDPHE waste tires staff.

ii. Tetra Tech is on schedule with the plan development (currently in the research stage).
iii. Larry Hudson had some general questions regarding components of the report Tetra Tech will provide.

V. Scrap to Profit Conference Summary

a. Shana provided an overview of the Scrap to Profit Conference that took place October 9 – October 11, 2012 in Montgomery, AL.
    i. Shana, Nick, Brian, and Jim Reid attended.
    ii. Close to 100 attendees.
    iii. Conference presentations included: information on other state waste tire programs, the national waste tire market, exporting tires to Asia, ground rubber, expanding waste tire markets, global issues impacting the ground rubber market, green building, and rubber modified asphalt.
        1. Shana, Nick, and Brian shared their thoughts on some of the presentations of interest.
            a. Request from Teresa Immel and Rick Welle to see the presentation given on exporting tires to Asia.
                i. Shana will check with Terry Gray, who gave the presentation, if this can be distributed.

VI. $1.50 Fund Allocation – Draft Report Discussion

i. Shana and Brian presented and explained the $1.50 fund allocation draft report.
    1. This draft report was emailed to all WTAC members and CDPHE WTAC staff
ii. Suggestions, comments, and edits to the draft report were solicited. This included:
    1. Removing the waste tire fee allocation section which includes the revenue tables.
    2. Adding an executive summary that summarizes the report.
    3. Moving the waste tire program funding breakdown chart to the beginning of the document (after the executive summary).
    4. Clarifying that the arrows from funds that roll over into the Processor/End User Fund.
    5. Ensuring that the information on the program funding breakdown chart are consistent with information on the waste tire program funding allocations fund summary (e.g., indicate what funds have ended).
    6. Adding information to the waste tire program funding allocations fund summaries regarding how funds were developed/implemented.

7. Determining if the transmittal letter can be on Department letterhead and if the letter is addressed to the correct chairman.

iii. A revision schedule was established:

1. CDPHE staff will redraft the report that includes comments and edits that were suggested in VI (ii). The updated report draft will be emailed to WTAC members by November 16, 2012.
2. WTAC have until COB on November 29, 2012 to provide additional suggestions, comments, and/or edits.
3. CDPHE staff will update the report and send it out with the December WTAC Agenda and November WTAC meeting minutes.

iv. Recommendation comments

1. Alan Greer mentioned that both Holcim and Geocycle would favor a reduction of the maximum per ton monthly payout in order to have more stable rebate payments throughout the year.
    a. Holcim and Geocycle think this would make business planning more effective as well as deter potential speculative behaviors.

VII. Additional comments from Committee Members, Staff, and Guests

a. There were no additional comments from WTAC members, CDPHE staff, or guests.

VIII. Setting of the December 13, 2012 Agenda

a. The WTAC set the agenda for the December 13, 2012 meeting.
    i. Items from November agenda, with updated meeting information and dates, will remain:
        1. Agenda items 1 – 4 and 7 – 10 will stay the same.
        2. Agenda item 6 will be $1.50 Fund Allocation – Revise and Finalize.

IX. Meeting Adjourned

a. Vice-Chairman Houtchens called the meeting to a close.
b. Next meeting is Thursday, December 13, 2012 at 10 am – 12 pm at CDPHE in Room C1E.