# WASTE TIRE ADVISORY COMMITTEE (WTAC) MEETING

## October 4, 2012

## CDPHE Denver, Colorado

**I. Call to Order and Introductions**

a. Chairman Jim Reid 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: Joel Bolduc, Larry Hudson, Nick Boudreau (acting as CDPHE alternate representative due to Charles Johnson's absence), Jim Reid, and Rick Welle.

   ii. CDPHE staff: Shana Baker and Brian Gaboriau.

   iii. AGO staff: David Banas, Patrick Pfaltzgraff (via phone).

   iv. Other attendees: Terry Gray (TAG), Alan Greer (Geocycle), Patti Fredrick (CTR/AT&T), Brian Myller (Tetra Tech), Teresa Immel (CTR/AT&T)

**II. General Business**

a. Approval of September 13, 2012 meeting minutes.

   i. Motion for approval of the September 13, 2012 minutes.

      1. Joel Bolduc asked for language revision of V(a) regarding his statement on the Processor/End-User reimbursement. Joel provided the correct language.

      2. WTAC motion to approve the minutes with Joel's revised language passed unanimously for adoption of the September 13, 2012 minutes.

   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 .

**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 e-mailed out October 1, 2012 to various fire and first-responder organizations and WTAC members.

      1. This WTFPF can be used for the purchase of equipment and supplies for the prevention, preparation, response to, and/or handling of waste tire fires

   ii. Law Enforcement Grant Fund (LEGF)

      1. RFA and application were approved by CDPHE Contracting Unit this week.

2. RFA and application will be released October 5, 2012
    a. Will e-mail to fire and first-responder organizations, the Colorado State Patrol, police and county sheriff department organizations, and health departments.
3. The LEGF can be used for waste tire enforcement activities, waste tire fire prevention and suppression activities, waste tire training and educational programs, and the oversight of waste tire facilities.

b. Processor End User and Section 10 Regulations Stakeholder Group
    i. Final stakeholder meeting was held on September 6, 2012.
    ii. The regulations and Statement of Basis and Purpose are in the process of being prepared for submission to the Secretary of State.
        1. Solid and Hazardous Commission Rulemaking date: November 20, 2012.

c. Outreach
    i. Colorado Association of Code Enforcement Officer (CACEO) training September 14, 2012.
        1. Nick Boudreau and Brian Gaboriau presented on key areas of HB 10-1018 and Section 10, waste tire grants available, and how local governments can apply for Illegal Waste Tire Cleanup Grants to cleanup waste tires in their jurisdictions.
            a. Feedback included applying under the LEGF for training for code enforcement regarding waste tire issues.
    ii. Colorado Solid Waste Association of North America (SWANA) Conference September 28, 2012.
        1. Shana and Brian presented on highlights of Section 10, regulation changes, and introduced the waste tire grants.

**IV. Waste Tire Grants & Funds Update – Brian Gaboriau**

a. Recycling Incentives Grant
    i. Ongoing
        1. Believe Douglas County is close to completing their project.
    ii. Did a site visit in Aspen week of September 24th to see the project they did during fiscal year 2012 (soccer/lacrosse field)
        1. Three projects have been completed (waiting on paperwork).

b. Illegal Tire Cleanup Fund
    i. Otero County – Completed; wrapping up the final paperwork.
        1. Joel Bolduc asked for clarification regarding how the tires were accepted (fee paid or not).
        2. Teresa Immel provided a few specifics of the cleanup, as CTR was awarded the contract to perform this cleanup.
        3. Jim Reid asked how many years Otero County was collecting these tires.
            a. Nick Boudreau explained that these tires were broken up as pre-2011 and post-2011 waste tires.
                i. Pre-2011 waste tires – no fee was accepted.
                1. Nick explained how this was constructed.

a. Additional comments amount WTAC members, staff, and guests regarding this.

c. Market Development Grant
    i. Market Development Plan – Brian Myller and Terry Gray have been in town performing interviews with waste tire generators, transporters, monofills, processors, and end users and have been conducting interviews with CDPHE waste tires staff.
        1. Brian Myller provided a summary of how these interviews are helping them understand the waste tires system in the state.
            a. Have identified some expansion of end use capacity in the system.
        2. Brian Myller explained where they are at, in relation to the work plan.
            a. Are well into the data collection and data gap analysis that is part of the scope of work.
        3. Terry Gray discussed market development targets (whether the target looking at would be feasible or not).
            a. Have identified and used reference materials to try to identify potential markets in the states.
                i. E.g., fluidized bed boilers that may be able to use waste tires.
            b. Have started evaluating facilities and meeting with stakeholders.
                i. Start with the major facilities/stakeholders.
                1. Patti Fredrick asked how these major stakeholders are being identified.
                a. Identified those who are using significant amounts of waste tires (e.g., cement plants), CO DOT (potential significant users), talking to people about civil engineering applications and rubberized asphalt. Also assistance from CDPHE identifying these facilities/stakeholders.
                ii. Timeline – weeklong visits every three or four weeks for the next couple months.
                iii. So far haven't seen a lot of things that haven't seen at other places.
                1. Can't take measures that have been successful at other places and apply them

without considering other aspects (business, economic environments).

ii. Question from Alan Greer and Joel Bolduc regarding what was provided to Tetra Tech in terms of data.
    1. Shana Baker indicated that annual report data (raw numbers) was provided. However, because much of this report data was marked confidential, facility identifiers were removed.
    2. Terry Gray explained that they are also maintaining confidentiality with information get from facilities/stakeholders meet with.
        a. Terry noted that they will still get the same conclusions.

**V. $1.50 Fund Allocation Recommendation Discussion**

a. Jim Reid reaffirmed the WTAC's waste tire fee allocation recommendation.
    i. Leave the fee allocation as it is until we get Tetra Tech's Market Development Report.
        1. WTAC members agreed that this was what was decided upon.

b. Joel Bolduc asked what the WTAC obligation is.
    i. Jim Reid explained that the WTAC owes the Colorado State Legislature (House of Representatives Transportation and Energy Committee and Senate Transportation Committee) a report with a recommendation on the $1.50 fee allocation.
        1. This report will include:
            a. HB 10-1018 Overview – Waste tire fee allocation WTAC recommendation required by 25-17-208 (2).
            b. Current Waste Tire Fee Allocation – overview of the current fee allocations and what money was spent on.
            c. WTAC fee recommendation – the recommendation will to leave the fee allocation as it is until we get Tetra Tech's Market Development Report.
            d. Final WTAC comments

c. Jim will start to put together the report – will incorporate comments and suggestions to put together as much of the report as can.
    i. Goal to have a rough draft by November 1 to Shana Baker for WTAC distribution.
    ii. Shana will send an e-mail to WTAC members that members submit comments or suggestions for the Waste Tire Fee Allocation Report by October 15.
        1. Shana will forward these comments and suggestions to Jim.

**VI. Additional comments from Committee Members, Staff, and Guests**

a. Larry Hudson had a question for Nick Boudreau, regarding if there was any update regarding the Ouray issue and potential legislation regarding beneficial use of waste tires on agriculture land.
    i. Nick indicated that there will be a stakeholder process to put guidance in place to direct beneficial use of waste tires on agriculture land.
        1. Working with Bill Hammerich of the Colorado Livestock Assocation on setting up the first stakeholder meeting.
            a. Tentative date (late October), but still working on a location for this meeting.
                i. Once a location has been set, we will broadcast this and let everyone know.
    ii. Nick was unable to provide any information regarding if there is any potential legislation. Charles Johnson would be best to address this.
    iii. Patti Fredrick asked if there had been any indication on how many of the counties allow for beneficial use of tires on agriculture land (number of counties that do allow versus those who don't allow)
        1. Nick indicated that we only have information on those counties we have worked with (four to five).
            a. This comes up when we get a beneficial use determination.
b. Teresa asked who Bill Hammerich was.
    i. Nick responded that Bill Hammerich is the president/CEO of the Colorado Livestock Association.
c. Jim Reid asked what SWANA was.
    i. Nick answered that SWANA stands for the Solid Waste Association of North America.
        1. Brian Gaboriau clarified that they are more or less landfill operators.
    ii. Terry Gray indicated that they are a big organization.
d. Alan Greer inquired if there was an update on the spending authority for Processor-End User.
    i. Brian Gaboriau indicated no.
e. Shana Baker brought up setting up meetings for 2013.
    i. Jim asked Shana to book rooms for the second Thursday of each month. For November or December, WTAC members can look at their calendars to see what months meetings would not be held.
f. Jim had a question on applying for the law enforcement representative position, as he is interested in this position as there is someone available to replace him as the fire representative.
    i. Shana indicated that Jim would need to apply for the law enforcement position through the Governor's Office of Boards and Commissions (link to the application is available on the HMWMD website).

1. Patrick Pfaltzgraff pointed out that Jim would have to resign from his current position (contingent on being appointed to the law enforcement position).
2. Shana noted that the individual interested in the fire representative would have to apply.

g. Larry Hudson asked about the status on those members whose positions have expired in September.
   i. The tire manufacturer and tire hauler representative positions expired on September 9.
      1. These representatives will continue to remain in their positions until there is a new or re-appointment.
   ii. Shana indicated that she has not heard from the Governor's Office of Boards and Commissions on any new or re-appointments.
      1. Shana will contact the Governor's Office regarding the status of position appointments.

**VII. Setting of the November 8, 2012 Agenda**

a. The WTAC set the agenda for the November 8, 2012 meeting.
   i. Items from October Agenda, with updated meeting information and dates, will remain:
      1. Agenda items 1 – 3 and 6 – 9 will stay the same.
      2. A Tetra Tech update will be added to item 4 (Waste Tire Grants – Brian Gaboriau )
      3. An agenda item will be added for a Scrap to Profit Conference Summary (Jim Reid, Shana Baker, Nick Boudreau, and Brian Gaboriau will be in attendance)
      4. An agenda item will be added to discuss the draft report on the $1.50 Fund Allocation.

**VIII. Meeting Adjourned**

a. Chairman Reid called the meeting to a close.
b. Next meeting is Thursday, November 8, 2012 at 10 am – 12 pm at CDPHE in Room C1E.