

Jefferson County Solid Waste/Air Quality Committee Minutes



Jefferson County Courthouse
311 S. Center Avenue, Room 203
Jefferson, WI 53549
December 8, 2017 - 8:00 a.m.

Members: Don Reese-Chair, Gregg Patrick -Vice Chair, Laura Payne-Secretary, Kirk Lund and Gary Kutz
Staff: Rob Klotz, Sharon Ehrhardt and Matt Zangl

1. Call to Order
Meeting called to order at 8:00 a.m. by Reese.
2. Roll Call (Establish a Quorum)
Committee members in attendance at 8:00 a.m. were Reese, Lund, Payne & Kutz. Patrick arrived at 8:06 a.m.
Staff members in attendance at 8:00 am. Were Klotz, Zangl & Ehrhardt
3. Certification of Compliance With the Open Meetings Law
Reese stated that the Solid Waste/Air Quality Committee complied with open meetings law requirements.
4. Review the Agenda
No changes were proposed to the agenda.
5. Introductions
None
6. Public Comment (Members of the public who wish to address the Committee must register their request at this time)
None
7. Communication
None
8. Approval of Minutes – September 15, 2017
Motion by Payne, seconded by Kutz to approve the September 15, 2017 minutes as presented.
Motion carried 4-0
9. Discussion and Possible Action-Deer Track Park Landfill with Don Smith
 - a. Landfill Updates
Smith was not in attendance. Reese asked if the Committee looked at the estimated host fee sheet for 2017. Reese noted that the fees down about \$4,000 this year. Reese said he had no complaints about the winds blowing materials around. Payne asked about the life of the landfill and Reese said about 20 years. The landfill might be buying a piece of property from Waldman for fill, but will need permits.
10. Discussion and Possible Action-Updates from Ixonia and Watertown Recycling
Town of Ixonia requested 800 Clean Sweep brochures to put in their tax bills. Karaliunas & Schmeckenpeper both attended the glass recycling tour at the Wisconsin Recycling Council meeting. Reese commented on how clean the Ixonia site is and Ehrhardt said the DNR uses their site as an example of good practices. If anyone would like to see the video, Ehrhardt has a copy at her desk.
Watertown Street Department is working with the company who recycles their mattresses to include upholstered furniture. Ehrhardt said that Schultz will be retiring. Ehrhardt asked if the Committee would be interested in giving Schultz a Clean Sweep Program Merit Award.
A motion was made by Patrick and seconded by Lund to present a Clean Sweep Program Merit Award to Rick Schultz.
Motion carried 5-0
11. Discussion and Possible Action-Clean Sweep Summary for 2017
 - a. Next Clean Sweep April 6 & 7, 2018
The Committee received the summary sheets for the 2017 Clean Sweep. Ehrhardt still hadn't received the invoice for the Whitewater Clean Sweep. We only had about 25 Jefferson County residents that attended the Whitewater Clean Sweep. The attendance was lower than last year by about 14. So the summary sheet doesn't include our Whitewater Clean Sweep.
 - b. Donation Updates
The Committee received a summary sheet in their packet on donations. Klotz noted the checks started to come this last week for the 2018 Clean Sweep year.
 - c. State Drug Collection Updates
The Committee received a summary sheet in their packet on drugs collected.
 - d. Grant Updates

Last year the Committee received \$18,375 and this year we should be receiving \$16,530. Ehrhardt is putting the information together for the filing of the 2017 grants.

12. ***Discussion and Possible Action – 2017 Wisconsin Act 99 and 2017 Assembly Bill 587**
Klotz explained to the Committee how the County responds to legislative bills. Klotz said right now the county does not have a procedure. Ehrhardt explained that unless the Committee does a resolution from the County she can only contact legislators stating it was from the Solid Waste Committee. Klotz wasn't sure if there is a correct method of contacting legislators about bills. Klotz said that even if a bill is passed we can still act with a resolution so residents know whether we supported it or not. Klotz said everyone should keep their eyes open and be aware of what laws are changing and now they can affect Jefferson County.
13. ***Discussion and Possible Action – DNR Awards – Ehrhardt**
Rick Schultz got a DNR Recycling Award for being an innovator in recycling for the State of Wisconsin. Someone from the DNR got an award from an engineering company for composting all the chicken in Jefferson County during the flu virus.
14. **Discussion and Possible Action – DNR Storm Debris Training– Ehrhardt**
Ehrhardt went to DNR Guidance for Storm Debris and it was very good. Some of the training parallel with FEMA. Casey Lamensky said she would come to the Counties for training sessions. Reese said he would like the information and would like Ehrhardt to set something up this winter.
15. **Discussion and Possible Action – Compost Bins & Party/Camping Pop-Ups**
Ehrhardt just received an email to order the compost bins. Last year we spent \$2,598.40 and ordered 54 bins. Ehrhardt checked with the Sheriff and Parks and they don't need any. The Master Gardeners said they would like 5 bins. Klotz did budget the money for the bins. Kevin from Parks said he would store them again.
Motion made by Lund and seconded by Klotz to purchase 54 compost bins and party-popups bins for camping.
Motion carried 5-0
16. **Discussion and Possible Action – Carton Recycling at Purdy Elementary School – Fort Atkinson**
Patrick said the carton recycling is moving forward. Purdy is trying to get it implemented. The teacher had some questions and asked if Ehrhardt could come at the lunch time when they implemented the carton recycling and she said yes. Patrick said that it is ongoing and hopefully will be implemented soon. Reese and Ehrhardt made a contact about carton recycling for the Jefferson Schools and they might already be recycling cartons.
17. **Discussion and Possible Action – Master Gardeners Activities – Ehrhardt**
Ehrhardt attend the Master Gardeners meeting and thanked them for their support. Ehrhardt took the extra bin to the Master Gardeners and they were pleased with the bin and were very happy to help us. We will continue with this relationship at the 2018 Jefferson County Fair in July.
18. **Discussion and Possible Action – Brew with a View – Ehrhardt**
Klotz recommends that Ehrhardt not attend the Brew with a View. The event was attended by over 300 people and only 12 people signed up for a free compost bin. Ehrhardt asked if doing a Dairy Breakfast at Fair Park would be beneficial. Someone also suggested she look into the Mason Jar Jamboree.
19. **Upcoming Meeting Dates and Possible Agenda Items.**
The next Solid Waste meeting is March 16, 2018.
20. **Adjourn**
Motion made by Lund and seconded by Patrick to adjourn the Solid Waste/Air Quality meeting at 9:30 a.m.
Motion carried 5-0

A Quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator 24 hours prior to the meeting at 920-674-7101 so appropriate arrangements can be made.

Laura Payne, Secretary



Understanding Concentrated Animal Feeding Operations and Their Impact on Communities



Notes

The 2003 CAFO rule was subsequently challenged in court. A Second Circuit Court of Appeals decision required alteration to the CAFO permitting system. In *Water Keeper et al. vs. the EPA*, the court directed the EPA to remove the requirement for all CAFOs to apply for NPDES. Instead, the court required that nutrient management plans be submitted with the permit application, reviewed by officials and the public, and the terms of the plan be incorporated into the permit.

As a result of this court decision, the CAFO rule was again updated. The current final CAFO rule, which was revised in 2008, requires that only CAFOs which discharge or propose to discharge waste apply for permits. The EPA has also provided clarification in the discussion surrounding the rule on how CAFOs should assess whether they discharge or propose to discharge. There is also the opportunity to receive a no discharge certification for CAFOs that do not discharge or propose to discharge. This certification demonstrates that the CAFO is not required to acquire a permit. And while CAFOs were required to create nutrient management plans under the 2003 rule, these plans were now included with permit applications, and had a built-in time period for public review and comment.

Benefits of CAFOs

When properly managed, located, and monitored, CAFOs can provide a low-cost source of meat, milk, and eggs, due to efficient feeding and housing of animals, increased facility size, and animal specialization. When CAFOs are proposed in a local area, it is usually argued that they will enhance the local economy and increase employment. The effects of using local materials, feed, and livestock are argued to ripple throughout the economy, and increased tax expenditures will lead to increase funds for schools and infrastructure.

Environmental Health Effects

The most pressing public health issue associated with CAFOs stems from the amount of manure they produce. CAFO manure contains a variety of potential contaminants. It can contain plant nutrients such as nitrogen and phosphorus, pathogens such as *E. coli*, growth hormones, antibiotics, chemicals used as additives to the manure or to clean equipment, animal blood, silage leachate from corn feed, or copper sulfate used in footbaths for cows.

Depending on the type and number of animals in the farm, manure production can range between 2,800 tons and 1.6 million tons a year (Government Accountability Office [GAO], 2008). Large farms can produce more waste than some U.S. cities—a feeding operation with 800,000 pigs could produce over 1.6 million tons of waste a year. That amount is one and a half times more than the annual sanitary waste produced by the city of Philadelphia, Pennsylvania (GAO, 2008). Annually, it is estimated that livestock animals in the U.S. produce each year somewhere between 3 and 20 times more manure than people in the U.S. produce, or as much as 1.2–1.37 billion tons of waste (EPA, 2005). Though sewage treatment plants are required for human waste, no such treatment facility exists for livestock waste.

While manure is valuable to the farming industry, in quantities this large it becomes problematic. Many farms no longer grow their own feed, so they cannot use all the manure they produce as fertilizer. CAFOs must find a way to manage the amount of manure produced by their animals. Ground application of untreated manure is one of the most common disposal methods due to its low cost. It has limitations, however, such as the inability to apply manure while the ground is frozen. There are also limits as to how many nutrients from manure a land area can handle. Over application of livestock wastes can overload

Whiting, 2007). Contaminated groundwater can move laterally and eventually enter surface water, such as rivers or streams.

When groundwater is contaminated by pathogenic organisms, a serious threat to drinking water can occur. Pathogens survive longer in groundwater than surface water due to lower temperatures and protection from the sun. Even if the contamination appears to be a single episode, viruses could become attached to sediment near groundwater and continue to leach slowly into groundwater. One pollution event by a CAFO could become a lingering source of viral contamination for groundwater (EPA, 2005).

Groundwater can still be at risk for contamination after a CAFO has closed and its lagoons are empty. When given increased air exposure, ammonia in soil transforms into nitrates. Nitrates are highly mobile in soil, and will reach groundwater quicker than ammonia. It can be dangerous to ignore contaminated soil. The amount of pollution found in groundwater after contamination depends on the proximity of the aquifer to the CAFO, the size of the CAFO, whether storage units or pits are lined, the type of subsoil, and the depth of the groundwater.

If a CAFO has contaminated a water system, community members should be concerned about nitrates and nitrate poisoning. Elevated nitrates in drinking water can be especially harmful to infants, leading to blue baby syndrome and possible death. Nitrates oxidize iron in hemoglobin in red blood cells to methemoglobin. Most people convert methemoglobin back to hemoglobin fairly quickly, but infants do not convert back as fast. This hinders the ability of the infant's blood to carry oxygen, leading to a blue or purple appearance in affected infants. However, infants are not the only ones who can be affected by excess nitrates in water. Low blood oxygen in adults can lead to birth defects, miscarriages, and poor general health. Nitrates have also been speculated to be linked to higher rates of stomach and esophageal cancer (Bowman, Mueller, & Smith, 2000). In general, private water wells are at higher risk of nitrate contamination than public water supplies.

Surface Water

The agriculture sector, including CAFOs, is the leading contributor of pollutants to lakes, rivers, and reservoirs. It has been found that states with high concentrations of CAFOs experience on average 20 to 30 serious water quality problems per year as a result of manure management problems (EPA, 2001). This pollution can be caused by surface discharges or other types of discharges. Surface discharges can be caused by heavy storms or floods that cause storage lagoons to overflow, running off into nearby bodies of water. Pollutants can also travel over land or through surface drainage systems to nearby bodies of water, be discharged through manmade ditches or flushing systems found in CAFOs, or come into contact with surface water that passes directly through the farming area. Soil erosion can contribute to water pollution, as some pollutants can bond to eroded soil and travel to watersheds (EPA, 2001). Other types of discharges occur when pollutants travel to surface water through other mediums, such as groundwater or air.

Contamination in surface water can cause nitrates and other nutrients to build up. Ammonia is often found in surface waters surrounding CAFOs. Ammonia causes oxygen depletion from water, which itself can kill aquatic life. Ammonia also converts into nitrates, which can cause nutrient overloads in surface waters (EPA, 1998). Excessive nutrient concentrations, such as nitrogen or phosphorus, can lead to eutrophication and make water inhabitable to fish or indigenous aquatic life (Sierra Club Michigan Chapter, n.d.). Nutrient over-enrichment causes algal blooms, or a rapid increase of algae growth in an aquatic environment (Science Daily, n.d.). Algal blooms can cause a spiral of environmental problems to an aquatic system. Large groups of algae can block sunlight from underwater plant life, which are

Table 1 Typical pollutants found in air surrounding CAFOs.

CAFO Emissions	Source	Traits	Health Risks
Ammonia	Formed when microbes decompose undigested organic nitrogen compounds in manure	Colorless, sharp pungent odor	Respiratory irritant, chemical burns to the respiratory tract, skin, and eyes, severe cough, chronic lung disease
Hydrogen Sulfide	Anaerobic bacterial decomposition of protein and other sulfur containing organic matter	Odor of rotten eggs	Inflammation of the moist membranes of eye and respiratory tract, olfactory neuron loss, death
Methane	Microbial degradation of organic matter under anaerobic conditions	Colorless, odorless, highly flammable	No health risks. Is a greenhouse gas and contributes to climate change.
Particulate Matter	Feed, bedding materials, dry manure, unpaved soil surfaces, animal dander, poultry feathers	Comprised of fecal matter, feed materials, pollen, bacteria, fungi, skin cells, silicates	Chronic bronchitis, chronic respiratory symptoms, declines in lung function, organic dust toxic syndrome

they experience odors from CAFOs inside the schools. Schools that were closer to CAFOs were often attended by students of lower socioeconomic status (Mirabelli, Wing, Marshall, & Wilcosky, 2006).

There is consistent evidence suggesting that factory farms increase asthma in neighboring communities, as indicated by children having higher rates of asthma (Sigurdarson & Kline, 2006; Mirabelli et al., 2006). CAFOs emit particulate matter and suspended dust, which is linked to asthma and bronchitis. Smaller particles can actually be absorbed by the body and can have systemic effects, including cardiac arrest. If people are exposed to particulate matter over a long time, it can lead to decreased lung function (Michigan Department of Environmental Quality [MDEQ] Toxics Steering Group [TSG], 2006). CAFOs also emit ammonia, which is rapidly absorbed by the upper airways in the body. This can cause severe coughing and mucous build-up, and if severe enough, scarring of the airways. Particulate matter may lead to more severe health consequences for those exposed by their occupation. Farm workers can develop acute and chronic bronchitis, chronic obstructive airways disease, and interstitial lung disease. Repeated exposure to CAFO emissions can increase the likelihood of respiratory diseases. Occupational asthma, acute and chronic bronchitis, and organic dust toxic syndrome can be as high as 30% in factory farm workers

Because CAFOs typically produce malodors, many communities want to monitor emissions and odors. Quantifying odor from industrial farming can be challenging because it is a mixture of free and particle-bound compounds, which can make it hard to identify what specifically is causing the odor. Collecting data on specific gases, such as hydrogen sulfide, can be used as a proxy for odor levels.

CAFO odors can cause severe lifestyle changes for individuals in the surrounding communities and can alter many daily activities. When odors are severe, people may choose to keep their windows closed, even in high temperatures when there is no air conditioning. People also may choose to not let their children play outside and may even keep them home from school. Mental health deterioration and an increased sensitization to smells can also result from living in close proximity to odors from CAFOs. Odor can cause negative mood states, such as tension, depression, or anger, and possibly neuropsychiatric abnormalities, such as impaired balance or memory. People who live close to factory farms can develop CAFO-related post traumatic stress disorder, including anxiety about declining quality of life (Donham et al., 2007).

Ten states use direct regulations to control odors emitted by CAFOs. They prohibit odor emissions greater than a set standard. States with direct regulations use scentometers, which measure how many times an odor has to be doused with clean air before the smell is undetectable. An additional 34 states have indirect methods to reduce CAFO odors. These include: setbacks, which specify how far CAFO structures have to be from other buildings; permits, which are the most typical way of regulating CAFOs; public comment or involvement periods; and operator or manure placement training.

Insect Vectors

CAFOs and their waste can be breeding grounds for insect vectors. Houseflies, stable flies, and mosquitoes are the most common insects associated with CAFOs. Houseflies breed in manure, while stable and other flies breed in decaying organic material, such as livestock bedding. Mosquitoes breed in standing water, and water on the edges of manure lagoons can cause mosquito infestations to rise. Flies can change from eggs to adults in only 10 days, which means that substances in which flies breed need to be cleaned up regularly.

Flies are typically considered only nuisances, although insects can agitate livestock and decrease animal health. The John Hopkins Bloomberg School of Public Health found evidence that houseflies near poultry operations may contribute to the dispersion of drug-resistant bacteria (Center for Livable Future, 2009). Since flies are attracted to and eat human food, there is a potential for spreading bacteria or pathogens to humans, including microbes that can cause dysentery and diarrhea (Bowman et al., 2000). Mosquitoes spread zoonotic diseases, such as West Nile virus, St. Louis encephalitis, and equine encephalitis.

Residences closest to the feeding operations experience a much higher fly population than average homes. To lower the rates of insects and any accompanying disease threats, standing water should be cleaned or emptied weekly, and manure or decaying organic matter should be removed twice weekly (Purdue Extension, 2007). For more specific insect vector information, please refer to NALBOH's vector guide (*Vector Control Strategies for Local Boards of Health*).

Pathogens

Pathogens are parasites, bacterium, or viruses that are capable of causing disease or infection in animals or humans. The major source of pathogens from CAFOs is in animal manure. There are over 150 pathogens in manure that could impact human health. Many of these pathogens are concerning because

When water is contaminated by pathogens, it can lead to widespread outbreaks of illness. Salmonellosis, cryptosporidiosis, and giardiasis can cause nausea, vomiting, fever, diarrhea, muscle pain, and death, among other symptoms. *E.coli* is another serious pathogen, and can be life-threatening for the young, elderly, and immunocompromised. It can cause bloody diarrhea and kidney failure. Since many CAFO use sub-therapeutic antibiotics with their animals, there is also the possibility that disease-resistant bacteria can emerge in areas surrounding CAFOs. Bacteria that cannot be treated by antibiotics can have very serious effects on human health, potentially even causing death (Pew Charitable Trusts, n.d.).

There is also the possibility of novel (or new) viruses developing. These viruses generate through mutation or recombinant events that can result in more efficient human-to-human transmission. There has been some speculation that the novel H1N1 virus outbreak in 2009 originated in swine CAFOs in Mexico. However, that claim has never been substantiated. CAFOs are not required to test for novel viruses, since they are not on the list of mandatory reportable illness to the World Organization for Animal Health.

Antibiotics

Antibiotics are commonly administered in animal feed in the United States. Antibiotics are included at low levels in animal feed to reduce the chance for infection and to eliminate the need for animals to expend energy fighting off bacteria, with the assumption that saved energy will be translated into growth. The main purposes of using non-therapeutic doses of antimicrobials in animal feed is so that animals will grow faster, produce more meat, and avoid illnesses. Supporters of antibiotic use say that it allows animals to digest their food more efficiently, get the most benefit from it, and grow into strong and healthy animals.

The trend of using antibiotics in feed has increased with the greater numbers of animals held in confinement. The more animals that are kept in close quarters, the more likely it is that infection or bacteria can spread among the animals. Seventy percent of all antibiotics and related drugs used in the U.S. each year are given to beef cattle, hogs, and chickens as feed additives. Nearly half of the antibiotics used are nearly identical to ones given to humans (Kaufman, 2000).

There is strong evidence that the use of antibiotics in animal feed is contributing to an increase in antibiotic-resistant microbes and causing antibiotics to be less effective for humans (Kaufman, 2000). Resistant strains of pathogenic bacteria in animals, which can be transferred to humans through the handling or eating of meat, have increased recently. This is a serious threat to human health because fewer options exist to help people overcome disease when infected with antibiotic-resistant pathogens. The antibiotics often are not fully metabolized by animals, and can be present in their manure. If manure pollutes a water supply, antibiotics can also leech into groundwater or surface water.

Because of this concern for human health, there is a growing movement to eliminate the non-therapeutic use of antibiotics with animals. In 2001, the American Medical Association approved a resolution to ban all low-level use of antibiotics. The USDA has developed guidelines to limit low-level use, and some major meat buyers (such as McDonald's) have stopped using meat that was given antibiotics that are also used for humans. The World Health Organization is also widely opposed to the use of antibiotics, calling for a cease of their low-level use in 2003. Some U.S. legislators are seeking to ban the routine use of antibiotics with livestock, and there has been legislation proposed to solidify a ban. The Preservation of Antibiotics for Medical Treatment Act (PAMTA), which was introduced in 2009, has the support of over 350 health,


protects established farm practices as long as there is not a substantial adverse effect on health, safety, or welfare.

Boards of health need to be aware of what legal protection their state offers farms. Right-to-farm laws can hinder nuisance complaints brought about by community members. State laws can prevent local government or health officials from regulating industrial farms.

Board of Health Involvement with CAFOs

Boards of health are responsible for fulfilling the three public health core functions: assessment, policy development, and assurance. Boards of health can fulfill these functions through addressing problems stemming from CAFOs in their communities. Specific public health services that can be tackled regarding CAFOs include monitoring health status, investigating health problems, developing policies, enforcing regulations, informing and educating people about CAFOs, and mobilizing community partnerships to spread awareness about environmental health issues related to CAFOs.

Assessment: Board of health members should ensure that there is an effective method in place for collecting and tracking public complaints about CAFOs and large animal farms. Since environmental health specialists at local health departments are often responsible for investigating complaints, the board of health must take measures to ensure that they are properly trained and educated about CAFOs. It is possible that the board of health may be responsible or choose to do some investigations itself. Schmalzried and Fallon (2008) advocate that local health districts adopt a proactive approach for addressing public concerns about CAFOs, stating that health districts can offer some services that may help ease public frustration with CAFOs. A fly trapping program can establish a baseline for the average number of flies present prior to the start-up of CAFOs or large animal farms, which can then establish if a fly nuisance exists in the area. Testing for water quality and quantity can provide evidence if CAFOs are suspected of affecting private water supplies. Boards of health can also monitor exposure incidences that occur in emergency rooms to determine if migrant or farm workers are developing any adverse health conditions as a result of their work environments. Establishing these programs benefit both members of the community and provide information to future animal farm operators, and local boards of health should recommend them if they've been receiving complaints about CAFOs.

 **Policy Development:** Boards of health in many states can adopt health-based regulations about CAFOs, however, they may be met with some resistance. Humbolt County, Iowa, adopted four health-based ordinances concerning CAFOs that became models for regulations in other states, but the Iowa Supreme Court ruled the ordinances were irreconcilable with state laws. Boards of health that choose to regulate CAFOs can also be subject to pressure from outside forces, including possible lawsuits or withdrawal of funding. Boards of health should also consider working with other local officials to institute regulations on CAFOs, such as zoning ordinances.

Assurance: Boards of health can execute the assurance function by advocating for or educating about better environmental practices with CAFOs. Board members may receive complaints from the public about CAFOs, and boards can hold public meetings to receive complaints and hear public testimony about farms. If boards of health are not capable of regulating industrial farms in their communities, they can still try to collaborate with other local agencies that have jurisdiction. Board of health members can educate other local agencies and public officials about CAFOs and spread awareness about the environmental and health hazards. They can request a public hearing with the permitting agency of the

worried the manure runoff is entering and contaminating Sutton Brook, since there has been flooding in that area. There has been no confirmation of this occurring. The board of health is aware that the farm has a nutrient management plan, but they are not allowed to request and find out what is incorporated in that plan.

The Tewksbury piggery is technically not classified as a CAFO, though it is believed to be the largest pig farm in the commonwealth of Massachusetts. The area around it has become densely populated and the community members state that they just want to live peacefully with the farm. The board of health has submitted multiple grant applications to study the health effects associated with the farm. After the site assignment process is complete, the board of health will decide how it will regulate the farm. At the beginning of 2010, the board of health was still working on drafting regulations for the pig farms.

Wood County Board of Health, Ohio

Wood County, Ohio, contains two existing large dairy farms, both of which were proposed in 2001 to be expanded to over 1500 cows each. It is also the site for three other proposed dairy farms. There is a large community effort that supports restricting the operation and expansion of these farms, mainly represented by the community group Wood County Citizens Opposed to Factory Farms. The Wood County Board of Health became involved in investigating these dairy farms through this community group and other local officials. The Trustees of Liberty Township requested assistance from the Wood County Board of Health in supporting a moratorium on factory farm operations until local regulations were in effect. The trustees believed that manure runoff from the farms could contaminate local waterways, lower the ground water table, increase the presence of insect vectors, and devalue local properties.

The Wood County Health Director, in cooperation with the board of health, contacted nearby counties to determine what actions they had taken against farms in their communities. While the health director and board of health investigated action in the form of a nuisance regulation against the farms, they were advised that nuisance lawsuits filed against farms in Ohio were held to a tough standard, and they would be forced to demonstrate with scientific proof that the farms have a substantial adverse effect on health. They found that no other board of health in Ohio had opted to regulate farming operations and relied on the enforcement of existing state laws.

The board of health held a public forum to hear public opinion regarding the industrial farms. Ultimately, the Wood County Board of Health took actions other than regulations to help protect the health and environment of its community. They helped community members protect the safety of their water wells by offering free and low cost water well testing and inspections. They tested area ditch and water ways for fecal coliform bacteria, phosphorous, and nitrates to monitor the impact of farm runoff. They also purchased fly traps to monitor and count fly types to determine if the farms have caused an increase in insect vectors. Board of health members also met with state officials from the Ohio EPA in an effort to facilitate cooperation regarding the factory farms. While the Wood County Board of Health and Health Department chose not to institute any local regulations, they continue to monitor the situation and respond to community complaints.

Cerro Gordo County Board of Health, Iowa

Officials in Cerro Gordo County, Iowa, began looking into regulating animal feeding operations after the number of hog farms in Iowa started to grow. Floods in North Carolina and new regulations in Colorado meant that many hog farms began relocating to Iowa. Many citizens had concerns over the effects of

Conclusion

Concentrated animal feeding operations or large industrial animal farms can cause a myriad of environmental and public health problems. While they can be maintained and operated properly, it is important to ensure that they are routinely monitored to avoid harm to the surrounding community. While states have differing abilities to regulate CAFOs, there are still actions that boards of health can and should take. These actions can be as complex as passing ordinances or regulations directed at CAFOs or can be simply increasing water and air quality testing in the areas surrounding CAFOs. Since CAFOs have such an impact locally, boards of health are an appropriate means for action. Boards of health should take an active role with CAFOs, including collaboration with other state and local agencies, to mitigate the impact that CAFOs or large industrial farms have on the public health of their communities.

Appendix B: Additional Resources

American Public Health Association. *Precautionary moratorium on new concentrated animal feed operations*. <http://www.apha.org/advocacy/policy/policysearch/default.htm?id=1243>

Center for a Livable Future. <http://www.livablefutureblog.com/>

Environmental Health Sciences Research Center. *Iowa concentrated animal feeding operation air quality study*. <http://www.public-health.uiowa.edu/ehsrc/CAFOstudy.htm>

Environmental Protection Agency. *Animal feeding operations*. http://cfpub.epa.gov/npdes/home.cfm?program_id=7

Food and Water Watch. <http://www.foodandwaterwatch.org/>

Impacts of CAFOs on Rural Communities. http://web.missouri.edu/ikerdj/papers/Indiana%20--%20CAFOs%20%20Communities.htm#_ftn1

Land Stewardship Project. <http://www.landstewardshipproject.org/index.html>

Midwest Environmental Advocates. <http://www.midwestadvocates.org/>

National Agriculture Law Center. *Animal feeding operations reading room*.
<http://www.nationalaglawcenter.org/readingrooms/afos>

National Association of Local Boards of Health. *Vector control strategies for local boards of health*.
<http://www.nalboh.org/publications.htm>

Pew Charitable Trusts. *Human health and industrial farming*. <http://www.saveantibiotics.org/index.html>

Pew Commission on Industrial Animal Farm Production. <http://www.ncifap.org/>

Purdue Extension. *Concentrated animal feeding operations*. <http://www.ansc.purdue.edu/CAFO/>

State Environmental Resource Center. <http://serconline.org>

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- Environmental Protection Agency. (2009). *Inventory of U.S. greenhouse gas emissions and sinks: 1990-2007*. Retrieved from <http://epa.gov/climatechange/emissions/usinventoryreport.html>
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Item 12 (b)

		2018
Date	Sponsors	Donations Monetary
1/2/2018	Town of Oakland	\$500.00
1/4/2018	Town of Cold Spring	\$200.00
1/8/2018	Tuttle's Pharmacy, Inc.	\$100.00
1/9/2018	Town of Jefferson	\$400.00
1/15/2018	Town of Lake Mills	\$1,000.00
1/16/2018	Town of Waterloo	\$250.00
2/22/2018	United Cooperative	\$100.00

\$2,550.00

Date	Sponsors	2017 Donations Monetary
1/5/2017	Tuttle's Pharmacy, Inc.	\$100.00
1/6/2017	Town of Sullivan	\$300.00
1/6/2017	Town of Jefferson	\$400.00
1/13/2017	Town of Lake Mills	\$1,000.00
1/17/2017	Town of Waterloo	\$250.00
1/19/2017	Village of Johnson Creek	\$50.00
5/19/2017	Village of Palmyra	\$1,100.00
11/27/2017	Fort Community Credit Union	\$50.00
11/27/2017	Phil & Jan Roou	\$50.00
11/27/2017	Badger Bank - Alex Gillingham	\$75.00
11/27/2017	Allen O Carlson	\$50.00
12/6/2017	Jane Follmer Zekoff	\$75.00
12/6/2017	Lakeland Farms, Inc.	\$50.00
12/6/2017	LSP Whitewater, L.P.	\$500.00
12/11/2017	Town of Ixonia	\$1,000.00
12/13/2017	Frank J & Catherine E Knauss	\$50.00
12/18/2017	Town of Hebron	\$200.00
12/18/2017	Town of Koshkonong	\$250.00
12/18/2017	Jefferson Utilities	\$250.00

\$5,800.00

Sharon Ehrhardt

From: Rick Schultz <RickS@CityofWatertown.org>
Sent: Tuesday, January 16, 2018 8:22 AM
To: Sharon Ehrhardt
Subject: RE: Letter - Village of Palmyra

We are still in with our \$20,000.00 for the event here in Watertown. Rick

From: Sharon Ehrhardt [<mailto:SharonEh@jeffersoncountywi.gov>]
Sent: Tuesday, January 16, 2018 8:16 AM
To: Matt Zangl <mattz@jeffersoncountywi.gov>; Donald Reese <DonaldR@jeffersoncountywi.gov>; Gary Kutz <GaryK@jeffersoncountywi.gov>; Gregg Patrick <GreggP@jeffersoncountywi.gov>; Kirk Lund <KirkL@jeffersoncountywi.gov>; Laura Payne <LauraP@jeffersoncountywi.gov>
Cc: BPinnow@jeffersonwis.com; Blair Ward <JBlairW@jeffersoncountywi.gov>; James Schroeder <JamesS@jeffersoncountywi.gov>; Rick Schultz <RickS@CityofWatertown.org>
Subject: Letter - Village of Palmyra

Good Morning:

The Village of Palmyra sent the attached letter to Jim Schroeder and I received the copy.

I also received a call from Mike Burow, Town of Aztalan Supervisor. Mike said they checked with the Wisconsin County Town's Association and they were told that they cannot make donations of money with tax dollars, but if we assessed a county fee they could pay that, but not donations.

I will have this on the March 16th Solid Waste/Air Quality agenda for discussion. I also have attached 2017 & 2018 donation sheets for your review.

Make recycling part of your life!
Sharon Ehrhardt
Solid Waste/Clean Sweep Specialist
311 S. Center Avenue – Room 201
Jefferson, WI 53549

Phone: (920) 674-7430
Email: sharoneh@jeffersoncountywi.gov
www.jeffersoncountywi.gov/cleansweep

This email and any files transmitted with it are private and may contain privileged information intended solely for the use of the individual(s) or entity(s) to whom they are addressed. If you have received this communication in error, please notify the City of Watertown by emailing webmaster@cityofwatertown.org. If you are not the named addressee you should not disseminate, distribute or copy this e-mail.

Sharon Ehrhardt

To: Solid Waste & Air Quality Committee; Matt Zangl
Cc: BPinnow@jeffersonwis.com; Blair Ward; James Schroeder; 'ricks@cityofwatertown.org'
Subject: Letter - Village of Palmyra
Attachments: Village of Palmyra Letter 1-15-2018.pdf; 2017 Donations.xls; 2018 Donations.xls

Good Morning:

The Village of Palmyra sent the attached letter to Jim Schroeder and I received the copy.

I also received a call from Mike Burow, Town of Aztalan Supervisor. Mike said they checked with the Wisconsin County Town's Association and they were told that they cannot make donations of money with tax dollars, but if we assessed a county fee they could pay that, but not donations.

I will have this on the March 16th Solid Waste/Air Quality agenda for discussion. I also have attached 2017 & 2018 donation sheets for your review.

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Village of Palmyra

100 W. TAFT STREET • P.O. BOX 380 • PALMYRA, WISCONSIN 53156

Mr. James Schroeder
Jefferson County Board Chair
Jefferson County Courthouse
311 S Main Street Room 201
Jefferson, Wisconsin 53549

Dear Mr. Schroeder:

I am writing to inform you that at their last meeting, the Village of Palmyra Board of Trustees voted against donating to the 2018 Clean Sweep program. During the discussion, the trustees agreed without a doubt, that the Clean Sweep program is very worthwhile. Since the program is a countywide program, open to all residents of Jefferson County, it should be more equitably funded through county taxation of all residents, not just \$15,000, but the entire cost. By asking for voluntary contributions through the municipalities, the cost of the benefit may not be incurred by all who benefit. It is also difficult to justify taxing at the local level for a county program.

Since you as the County Board Chair are in favor of the program, we hope that in the future, the funding will be done through Jefferson County's tax. If there's anything else that the Village can do to help accomplish this, please let us know.

Sincerely,



David Turner, President
Village of Palmyra
Dec. 7, 2017

JAN 15 2018

POLICE
262-495-4200

PUBLIC WORKS
262-495-4106

VILLAGE CLERK
262-495-8316

FAX NUMBER
262-495-8775

LIBRARY
262-495-4605

REC.DEPT
262-470-9440

Sharon Ehrhardt

To: Larson, Jane H - DATCP; bickfordcollaboration@gamil.com;
AROWMembersDiscussion@yahoogroups.com

Cc: Solid Waste & Air Quality Committee; Matt Zangl; 'ricks@cityofwatertown.org';
townhall@townofixonia.com; Randy Johnson (RJohnson@CityofWatertown.org);
police@waterloowi.us; Chief Gary Bleecker garyb@johnsoncreekwi.org; Chief
Matuszewski (pmatuszewski@ci.lake-mills.wi.us); Neal Kolb (NKolb@whitewater-wi.gov);
Don Hunter (DonH@jeffersoncountywi.gov); Jill Hoard (j.hoard@villageofpalmyra.com);
Kenneth Pileggi - City of Jefferson Police Department (kpileggi@jeffersonpd.com);
Davis, Lt. Jeff; police@uww.edu (police@uww.edu); Rene Frier (RFrier@ci.lake-
mills.wi.us); Burt, Jason R (burtj@uww.edu); Paul Milbrath
(PaulM@jeffersoncountywi.gov)

Subject: Drug Pouches

Attachments: Drug Pouches.pdf; DRUG POSTER 2018.pdf

Good Morning:

The Jefferson County Drug Coalition got a grant to reduce heroin use in Jefferson County. They are using the grant to pay a portion for the installation of a drug box at Johnson Creek Police Dept. With the other monies from the grant they purchased 1,100 Drug Disposal Pouches. The Johnson Creek Drug box will be the 10th box in Jefferson County, so all our police departments have collection boxes. The placement in all Police Departments allow residents to dispose of the drugs properly and no one has to drive more than 10 miles to reach a box.

I have attached a copy of the email I sent to the Drug Coalition and copies of the information about the pouches. The Coalition ordered these pouches without asking anyone about them and assumed they would destroy the drug properly. When they told me about them I explained that the pouches just render the drugs unusable, but don't break down the drugs. Putting the pouches in the trash isn't the ideal disposal solution. I will concede that some individuals, like shut-ins, people who don't live near a drug box or people who are afraid to come to a police station might find a need for the pouches. They have placed a few pouches in four private pharmacies. I have a call into Sheriff Milbrath, but I was able to talk to Captain Johnson from the City of Watertown Police Department. He is concerned that desperate drug users could possibly try to cook down the materials inside the pouches. He doesn't want them in his drug box, because, if not sealed properly, they could leak all over the box. The seal is just a Ziploc seal and not even a very good one. Detera, who makes the pouches, writes this about the carbon: "The granular activated carbon used in Detera is non-corrosive to skin or eyes. The carbon is considered non-flammable and stable under normal conditions for shipment, storage and use. There are no known harmful effects associated with ingestion of carbon. It is considered non-toxic." So possibly Captain Johnson's concern is a legitimate one.

In my opinion the police department drug drop-boxes are still the best options for drug disposal, but concede that pouches can be of some use. I'm sending this so others will be aware of the Detera Company and their drug disposal pouches. You can share and pass this information on to interested parties.

Sharon

Sharon Ehrhardt

From: Sharon Ehrhardt
Sent: Thursday, February 15, 2018 2:58 PM
To: Emi Reiner
Subject: RE: Drug Pouches

Thanks Emi:

I received them, but I still have some questions about the carbon, if it breaks down the drugs or just renders them unusable.

When the issue of pouches was brought up in the waste pharmaceutical groups, the answer was that the pouches just made the drugs unusable.

I can also see the need for them with shut-ins, people who don't live near a drug box or people who don't want to come to a police station.

I still think the best resource for drugs is the drop boxes if at all possible and then knowing that they are disposed of properly by incineration.

I will be checking with the police departments to see if they would accept the pouches in the drug drop-off boxes or if the pouches might present a leakage problem.

If they would accept them we would have the best of both solutions. If the pouches can't be disposed in drug drop-off boxes, then the only other solution is to put them in the trash.

When you put anything in the trash it can get in the leachate at the landfill and possibility in the ground water.

Is the Health Department taking them to shut-ins or families at risk?

From: Emi Reiner
Sent: Thursday, February 15, 2018 9:39 AM
To: Sharon Ehrhardt
Subject: RE: Drug Pouches

Sure. I will send them on!

From: Sharon Ehrhardt
Sent: Thursday, February 15, 2018 9:12 AM
To: Emi Reiner
Subject: Drug Pouches

Emi could you please send over two drug pouches and do you have any instructions or written information about them.

Thanks, Sharon

Sharon, here is
some information.
Please post flyers if
you can. Thanks.
- Emi

How does Deterra® work?

Each patented Deterra pouch contains a water-soluble inner pod containing MAT₁₂® activated carbon. Once the pharmaceuticals are placed in the pouch, you add warm water, which dissolves the inner pod releasing the activated carbon. The warm water also dissolves prescription pills, patches and liquids allowing them to be adsorbed by the carbon, rendering them inert and irretrievable.

Are the Deterra active ingredients safe?

The granular activated carbon used in Deterra is non-corrosive to skin or eyes. The carbon is considered non-flammable and stable under normal conditions for shipment, storage and use. There are no known harmful effects associated with ingestion of carbon. It is considered non-toxic.

Have Government Agencies endorsed Deterra?

Government agencies do not endorse specific products. However, Verde has been awarded a contract from the National Institute on Drug Abuse (NIDA), a part of the U.S. National Institute of Health (NIH), for the development of a cost effective, easy to use at-home drug deactivation system. Following the Phase 1 product evaluation and full report, NIDA then awarded the Phase 2 contract to Verde to commercialize these products. In addition, the Office of National Drug Control Policy (ONDCP) recently revised their National Drug Control Policy to include support of "At-Home Drug Deactivation Systems" for use in safely removing unwanted drugs from the home. The Department of Justice and the Drug Enforcement Administration in Northern Alabama has distributed Deterra as a means for people to dispose of drugs as needed.

Have Leftover Medicine?



Use these kits!

Be part of the solution to reduce accidental poisoning and drug deaths. These bags will deactivate drugs in your medicine cabinet and they are **FREE at the following locations (while supplies last):**

Hometown Pharmacy 372 E. Tyrannena Park Rd. Lake Mills, WI 53551 (920) 945-2500	Hometown Pharmacy 204 E. Main St. Watertown, WI 53094 (920) 261-1900
Tuttle's Pharmacy, Fort Atkinson 102 S. Main St. Fort Atkinson, WI 53548 (920) 563-2458	The Drug Store-Mueller Drugs 132 S. Main St. Jefferson, WI 53549 (920) 674-5733

For more information contact the Jefferson County Drug Free Coalition:
JeffcoDFC@gmail.com or call (920) 674-7232

Size
of Bag is
11 x 5 inches

DETERRA

drug deactivation
system

Deactivates drugs—effectively,
safely and quickly.

do not consume
do not remove contents of pouch
use and dispose of immediately

KEEP OUT OF THE REACH
OF CHILDREN AND PETS

MP



Powered by patented
MAT₁₂

Adsorption Technology,
the environmentally
friendly system has been
proven to neutralize pills,
liquids and patches.

Deterra-MP deactivates:



45 pills



6 oz. liquid



6 patches

INSTRUCTIONS FOR DISPOSAL:



1

Place unused
medications
in pouch.



2

Fill halfway
with warm tap
water and
wait 30 seconds.



3

Seal tightly and
gently shake
pouch and
dispose of in
normal trash.

NOT FOR USE WITH DRUGS THAT ARE SUPPLIED WITH SPECIFIC DISPOSAL INSTRUCTIONS. DO NOT ADD SHARPS. KEEP OUT OF REACH OF CHILDREN AND PETS. THE DEACTIVATION PROCESS STARTS QUICKLY BUT TAKES TIME TO COMPLETE. WHEN USED IN HEALTHCARE FACILITIES, NOT FOR USE WITH RCRA LISTED DRUGS. LOCAL REGULATIONS MAY VARY. CONSULT AUTHORITIES WITH ANY QUESTIONS YOU MAY HAVE.

Manufactured in the USA by
Verde Environmental Technologies, Inc.
Package made from
environmentally friendly material
www.tekpaksolutions.com
U.S. Patents No. 8,979,724;
8,535,711; 8,475,837;
7,867,511 - Additional Patents Issued
08.01.2016
600209-179011



verde
Technologies

DeterraSystem.com

Item 13 (c)

Drug Collection Information from 2008-2017

Year	Controlled	Non-Controlled	Mix-Drug DEA	Total Pounds	Cost
2008	29.5	920		949.5	\$ 1,632.50
2009	30.5	847		877.5	\$ 2,085.40
2010	91	452		543	\$ 1,433.47
2011	478	686		1164	\$ 1,309.08
2012	40.25	1,200		1240.25	\$ 1,715.34
2013	0	1315	*1113	2428	\$ 2,791.78
2014	70.25	1,820		1890.25	\$ 2,130.72
2015	0	349		349	\$ 594.05
2016	113	349		462	\$ 302.65
2017	0	0	1167	1167	\$ -
Totals	852.5	7938	1113	11070.5	\$ 13,994.99

* Mix drugs that went to a witness burn.

2008-2009 - Jefferson County Sheriff disposed of drugs through his evidence program at the State lab.

2010-2014 - Veolia Environmental disposed of our non-controlled through the Clean Sweep Program

2010-2014 - All the controlled drugs were disposed of at witness burn in Illinois at a Veolia site.

Jefferson County Sheriff hosted the collection of drugs for the State and witnessed the burn.

2105-2016 - The Wisconsin Department of Justice took over the disposal of all drugs with registered police departments in the State; as of this date they have collected over 110,000 pounds of drugs this doesn't include this pasted weekend's drug take-back.

Before the DOJ drug collections we had less than 100 police department participating and now we have over 274 participating police departments.

State DOJ Total Pounds for Mix-Drugs Collected

Year & Month	Total Pounds
May, 2015	39,783
September, 2015	44,698
April, 2016	64,247
October, 2016	58,729
April, 2017	66,830
October, 2017	60,257
	334,544

April & October 2017 Wisconsin ranked third among the 48 states. California & Texas were first & second.

The DOJ said that national wide for the October, 2017 912,305 pounds were collected

The DOJ also said that the City of Milwaukee collected 2,000 pounds in October.

Jefferson County took in 1,167 pound for October so I think Jefferson County has a very strong program for collecting drugs and with Johnson Creek Police Dept. on board we should be increasing that total.

Menu » 2017 » Related Documents » Proposal Text » SB733: Bill Text

LRB-4793/1

MCP:amn&wlj

2017 - 2018 LEGISLATURE

2017 SENATE BILL 733

January 29, 2018 - Introduced by Senators MILLER, COWLES, CARPENTER, ERPENBACH, LARSON, VINEHOUT and WIRCH, cosponsored by Representatives MURSAU, HEBL, ANDERSON, BERCEAU, BILLINGS, CONSIDINE, CROWLEY, OHNSTAD, SARGENT, SINICKI, SPIROS, SPREITZER, SUBECK, THIESFELDT and VRUWINK.
Referred to Committee on Natural Resources and Energy.

1 **AN ACT** *to renumber* 287.17 (8) (b) 3.; *to renumber and amend* 287.17 (1)
2 (k),
3 287.17 (8) (b) 1. and 287.17 (8) (b) 2.; *to amend* 287.17 (1) (eg) 1. b., 287.17
4 (1)
5 (eg) 2., 287.17 (1) (np), 287.17 (3) (a) (intro.), 287.17 (3) (e), 287.17 (4) (b) 1.,
6 287.17 (4) (b) 2., 287.17 (4) (b) 3., 287.17 (4) (d) (intro.), 287.17 (5) (a) 1. a.,
7 287.17
8 (5) (a) 1. b., 287.17 (5) (a) 1. c., 287.17 (5) (b), 287.17 (7) (a) 1. (intro.),
9 287.17 (7)
10 (a) 2., 287.17 (7) (b), 287.17 (8) (a) 1. (intro.), 287.17 (8) (a) 2., 287.17 (8) (c)
11 4.,
287.17 (9m), 287.17 (10) (d) (intro.), 287.17 (10) (j) and 287.17 (10) (k); and
to
create 287.17 (1) (k) 1., 287.17 (1) (k) 2., 287.17 (1) (k) 3., 287.17 (1) (pg),
287.17
(4) (b) (intro.), 287.17 (4) (be), 287.17 (8) (b) 1m., 2m., 3m., 4. and 5. and
287.17
(10) (m) of the statutes; **relating to:** changes to the electronic waste
recycling
program and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill makes certain changes to this state's electronic waste recycling program, known as "E-Cycle Wisconsin," which is administered by the Department of Natural Resources.

Under the program, a manufacturer may not sell certain consumer electronic devices to households or schools in this state, or deliver consumer electronic devices to a retailer, unless the manufacturer registers with DNR each year, pays a registration fee, and either recycles a certain amount of consumer electronic devices

or pays a shortfall fee. A retailer may not sell certain consumer electronic devices to households or schools in this state unless the device's manufacturer is registered under the program. A recycler that receives electronic devices on behalf of a registered manufacturer must also register under the program and comply with certain reporting and recordkeeping requirements.

The bill expands the definition of a school, for purposes of the program, to include all public elementary or secondary schools, including charter schools; all private elementary or secondary schools; and all tribal schools. The bill also narrows the types of consumer printers that are covered under the program.

Under current law, a manufacturer in the program must ordinarily pay a registration fee with its annual registration, based on the number of electronic devices it sold in the state during the previous year. The bill raises the threshold for

requiring a manufacturer to pay a registration fee. Under the bill, a manufacturer's registration fee is \$5,000 if it sold at least 500 electronic devices in this state during

the previous program year, and \$1,250 if it sold at least 250 but fewer than 500 electronic devices. There is no registration fee if the manufacturer sold fewer than 250 electronic devices during the previous program year.

Under current law, a manufacturer must report certain information to DNR

when it submits its annual registration under the program. This bill requires manufacturers, when reporting the total weight of electronic devices recycled by or on behalf of the manufacturer each year, to also report the weight of devices collected

from rural counties separately from devices collected from urban counties.

Under current law, every year a registered recycler must report to DNR the

total weight of electronic devices the recycler received from a registered manufacturer for recycling during the previous program year. This bill requires a recycler, in its annual report, to also separate this total weight into different categories, depending on the type of device and whether the device contains a cathode-ray tube. The bill also requires a recycler to report the weight of certain materials, such as cathode-ray tube glass, metals, and plastics, that the recycler derived from the electronic devices it received during the previous program year.

Finally, under current law, a program year runs from July 1 to the following

June 30. This bill creates an 18-month transition period (transition year) that runs from the July 1 following the effective date of the bill to the December 31 of the following year. After the transition year, a program year runs from January 1 to December 31.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 287.17 (1) (eg) 1. b. of the statutes is amended to read:

287.17 (1) (eg) 1. b. A device listed under par. (gs) 1. to 6. or 7. that prints and has other functions, such as copying, scanning, or sending facsimiles, and that is designed to be placed on a work surface.

SECTION 2. 287.17 (1) (eg) 2. of the statutes is amended to read:

287.17 (1) (eg) 2. "Consumer printer" does not include a calculator with printing capabilities or a label maker, or other similar household printing device; a floor-standing printer or printer with optional floor stand; or a point-of-sale receipt printer.

SECTION 3. 287.17 (1) (k) of the statutes is renumbered 287.17 (1) (k) (intro.) and amended to read:

287.17 (1) (k) (intro.) "Program year" means ~~the period from July 1 to the following June 30.~~ one of the following:

SECTION 4. 287.17 (1) (k) 1. of the statutes is created to read:

287.17 (1) (k) 1. For any period before the beginning of the transition year, a period that runs from July 1 to the following June 30.

SECTION 5. 287.17 (1) (k) 2. of the statutes is created to read:

287.17 (1) (k) 2. The transition year.

SECTION 6. 287.17 (1) (k) 3. of the statutes is created to read:

287.17 (1) (k) 3. For any period after the end of the transition year, a period that runs from January 1 to the following December 31.

SECTION 7. 287.17 (1) (np) of the statutes is amended to read:

287.17 (1) (np) "School" means a public school, ~~as defined in s. 115.01 (1), a private school participating in the program under s. 118.60, or a private school participating in the program under s. 119.23~~ elementary or secondary school,

including a charter school, as defined in s. 115.001 (1), or a private elementary or secondary school, or a tribal school, as defined in s. 115.001 (15m).

SECTION 8. 287.17 (1) (pg) of the statutes is created to read:

287.17 (1) (pg) "Transition year" means the 18-month period from the July 1 following the effective date of this paragraph [LRB inserts date], to the

December

31 of the following year.

SECTION 9. 287.17 (3) (a) (intro.) of the statutes is amended to read:

287.17 (3) (a) (intro.) To comply with sub. (2) (a) 2., a manufacturer shall,

~~no~~

~~later than February 1, 2010, and annually, no later than September 1 beginning in 2010 the first day of the 3rd month of each program year,~~ submit to the department a registration that includes all of the following:

SECTION 10. 287.17 (3) (e) of the statutes is amended to read:

287.17 (3) (e) A complete registration is effective on receipt by the department and is valid until the first day of the 3rd month of the following September 1 program year unless revoked before that date.

SECTION 11. 287.17 (4) (b) (intro.) of the statutes is created to read:

287.17 (4) (b) (intro.) In each program year other than the program year immediately following the transition year:

SECTION 12. 287.17 (4) (b) 1. of the statutes is amended to read:

287.17 (4) (b) 1. If the manufacturer sold at least ~~250~~ 500 covered electronic devices in this state during the previous program year, the manufacturer shall pay a registration fee of \$5,000, except, as provided under sub. (10) (k).

SECTION 13. 287.17 (4) (b) 2. of the statutes is amended to read:

287.17 (4) (b) 2. If the manufacturer sold at least ~~25~~ 250 but fewer than ~~250~~ 500 covered electronic devices in this state during the previous program year, the manufacturer shall pay a registration fee of \$1,250.

SECTION 14. 287.17 (4) (b) 3. of the statutes is amended to read:

287.17 (4) (b) 3. If the manufacturer sold fewer than ~~25~~ 250 covered electronic devices in this state during the previous program year, the manufacturer is not required to pay a registration fee.

SECTION 15. 287.17 (4) (be) of the statutes is created to read:

287.17 (4) (be) *Registration fees immediately following the transition year.*
In the program year immediately following the transition year:

1. If the previous program year was the transition year and the manufacturer sold at least 750 covered electronic devices in this state during the transition year, the manufacturer shall pay a registration fee of \$7,500, except as provided in sub. (10) (k).

2. If the previous program year was the transition year and the manufacturer sold at least 375 but fewer than 750 covered electronic devices in this state during the transition year, the manufacturer shall pay a registration fee of \$1,875.

3. If the previous program year was the transition year and the manufacturer sold fewer than 375 covered electronic devices in this state during the transition

20 year,
 the manufacturer is not required to pay a registration fee.

Menu » 2017 » Related Documents » Proposal Text » SB733: Bill Text

Sharon Ehrhardt

From: Murray, Sarah C - DNR <Sarah.Murray@wisconsin.gov>
Sent: Tuesday, February 13, 2018 9:26 AM
To: Murray, Sarah C - DNR
Cc: Dubruiel, Amy N - DNR; McGrath, Marcy J - DNR
Subject: Updates for E-Cycle WI participants: public hearing on proposed changes, save the date for stakeholder meeting

Dear registered E-Cycle Wisconsin participants,

We have a few quick updates of interest to those involved in the program.

Public hearing scheduled for proposed bill amending Wisconsin's electronics recycling law

Legislation that would make changes to Wisconsin's electronics recycling law has been introduced in the state Senate and state Assembly

Please refer to the Legislature's pages for [Senate Bill 733](#) and [Assembly Bill 914](#) for more information, including the bill text with a summary of the proposed changes. There is also a link for subscribing to notifications related to the bill's progress.

The Senate Committee on Natural Resources and Forestry has scheduled a public hearing on the bill this Thursday at 10 a.m. CST.

Public hearing notice

Save the date: 2018 E-Cycle WI stakeholder meeting May 30 in Madison

We will once again be holding a public stakeholder meeting this May in Madison. We are still finalizing the agenda, but similar to our previous meetings, we hope to have a good discussion among collectors, recyclers, manufacturers, retailers and other stakeholders about how to improve and sustain a strong electronics recycling program in Wisconsin. Like in 2016, we plan to have a streaming/webinar option available for at least portions of the meeting that feature presentations.

When: Wednesday, May 30, 2018, approximately 9-3:30 CDT

Where: Pyle Center, Madison

We encourage all of you to consider attending. Stay tuned for an agenda and registration information!

Reminder: send updates on collection event/site changes, brand changes and contact changes

As we move toward the end of our current program year (June 30, 2018), please remember to send us updates on new collection events or permanent sites, changes to brand information, and contact changes. This will help us keep our publicly available information up to date and make the reporting process go more quickly and smoothly for you.

Thanks again for your participation in E-Cycle Wisconsin, and please let me know if you have any questions or concerns.

Sarah

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey>

Sarah Murray

E-Cycle Wisconsin coordinator – Waste & Materials Management

Wisconsin Department of Natural Resources

Phone: 608-264-6001

Menu » 2017 » Related Documents » Proposal Text » AB914: Bill Text

LRB-5221/1

MCP:amn&wlj

2017 - 2018 LEGISLATURE

2017 ASSEMBLY BILL 914

February 2, 2018 - Introduced by Representatives MURSAU, BALLWEG, HEBL, ANDERSON, BERCEAU, BILLINGS, CONSIDINE, CROWLEY, OHNSTAD, SARGENT, SINICKI, SPIROS, SPREITZER, SUBECK, THIESFELDT and VRUWINK, cosponsored by Senators MILLER, COWLES, CARPENTER, ERPENBACH, LARSON, VINEHOUT and WIRCH. Referred to Committee on State Affairs.

1 **AN ACT** *to renumber 287.17 (8) (b) 3.; to renumber and amend 287.17 (1)*
2 *(k),*
3 *287.17 (8) (b) 1. and 287.17 (8) (b) 2.; to amend 287.17 (1) (eg) 1. b., 287.17*
4 *(1)*
5 *(eg) 2., 287.17 (1) (np), 287.17 (3) (a) (intro.), 287.17 (3) (e), 287.17 (4) (b) 1.,*
6 *287.17 (4) (b) 2., 287.17 (4) (b) 3., 287.17 (4) (d) (intro.), 287.17 (5) (a) 1. a.,*
7 *287.17*
8 *(5) (a) 1. b., 287.17 (5) (a) 1. c., 287.17 (5) (b), 287.17 (7) (a) 1. (intro.),*
9 *287.17 (7)*
10 *(a) 2., 287.17 (7) (b), 287.17 (8) (a) 1. (intro.), 287.17 (8) (a) 2., 287.17 (8) (c)*
11 *4.,*
12 *287.17 (9m), 287.17 (10) (d) (intro.), 287.17 (10) (j) and 287.17 (10) (k); and*
13 *to*
14 *create 287.17 (1) (k) 1., 287.17 (1) (k) 2., 287.17 (1) (k) 3., 287.17 (1) (pg),*
15 *287.17*
16 *(4) (b) (intro.), 287.17 (4) (be), 287.17 (8) (b) 1m., 2m., 3m., 4. and 5. and*
17 *287.17*
18 *(10) (m) of the statutes; relating to: changes to the electronic waste*
19 *recycling*
20 *program and granting rule-making authority.*

Analysis by the Legislative Reference Bureau

This bill makes certain changes to this state's electronic waste recycling program, known as "E-Cycle Wisconsin," which is administered by the Department of Natural Resources.

Under the program, a manufacturer may not sell certain consumer electronic devices to households or schools in this state, or deliver consumer electronic devices to a retailer, unless the manufacturer registers with DNR each year, pays a registration fee, and either recycles a certain amount of consumer electronic devices

or pays a shortfall fee. A retailer may not sell certain consumer electronic devices to households or schools in this state unless the device's manufacturer is registered under the program. A recycler that receives electronic devices on behalf of a registered manufacturer must also register under the program and comply with certain reporting and recordkeeping requirements.

The bill expands the definition of a school, for purposes of the program, to include all public elementary or secondary schools, including charter schools; all private elementary or secondary schools; and all tribal schools. The bill also narrows

the types of consumer printers that are covered under the program.

Under current law, a manufacturer in the program must ordinarily pay a registration fee with its annual registration, based on the number of electronic devices it sold in the state during the previous year. The bill raises the threshold for

requiring a manufacturer to pay a registration fee. Under the bill, a manufacturer's registration fee is \$5,000 if it sold at least 500 electronic devices in this state during

the previous program year, and \$1,250 if it sold at least 250 but fewer than 500 electronic devices. There is no registration fee if the manufacturer sold fewer than 250 electronic devices during the previous program year.

Under current law, a manufacturer must report certain information to DNR

when it submits its annual registration under the program. This bill requires manufacturers, when reporting the total weight of electronic devices recycled by or on behalf of the manufacturer each year, to also report the weight of devices collected

from rural counties separately from devices collected from urban counties.

Under current law, every year a registered recycler must report to DNR the

total weight of electronic devices the recycler received from a registered manufacturer for recycling during the previous program year. This bill requires a recycler, in its annual report, to also separate this total weight into different categories, depending on the type of device and whether the device contains a cathode-ray tube. The bill also requires a recycler to report the weight of certain materials, such as cathode-ray tube glass, metals, and plastics, that the recycler derived from the electronic devices it received during the previous program year.

Finally, under current law, a program year runs from July 1 to the following

June 30. This bill creates an 18-month transition period (transition year) that runs from the July 1 following the effective date of the bill to the December 31 of the following year. After the transition year, a program year runs from January 1 to December 31.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 287.17 (1) (eg) 1. b. of the statutes is amended to read:

287.17 (1) (eg) 1. b. A device listed under par. (gs) 1. to 6. or 7. that prints and ~~has other functions, such as copying, scanning, or sending facsimiles,~~ and that is designed to be placed on a work surface.

SECTION 2. 287.17 (1) (eg) 2. of the statutes is amended to read:

287.17 (1) (eg) 2. "Consumer printer" does not include a calculator with printing capabilities or a label maker, or other similar household printing device; a floor-standing printer or printer with optional floor stand; or a point-of-sale receipt printer.

SECTION 3. 287.17 (1) (k) of the statutes is renumbered 287.17 (1) (k) (intro.)

and amended to read:

287.17 (1) (k) (intro.) "Program year" means ~~the period from July 1 to the following June 30.~~ one of the following:

SECTION 4. 287.17 (1) (k) 1. of the statutes is created to read:

287.17 (1) (k) 1. For any period before the beginning of the transition year, a period that runs from July 1 to the following June 30.

SECTION 5. 287.17 (1) (k) 2. of the statutes is created to read:

287.17 (1) (k) 2. The transition year.

SECTION 6. 287.17 (1) (k) 3. of the statutes is created to read:

287.17 (1) (k) 3. For any period after the end of the transition year, a period that runs from January 1 to the following December 31.

SECTION 7. 287.17 (1) (np) of the statutes is amended to read:

287.17 (1) (np) "School" means a public ~~school, as defined in s. 115.01 (1), a private school participating in the program under s. 118.60, or a private school participating in the program under s. 119.23~~ elementary or secondary school,

including a charter school, as defined in s. 115.001 (1), or a private elementary or secondary school, or a tribal school, as defined in s. 115.001 (15m).

SECTION 8. 287.17 (1) (pg) of the statutes is created to read:

287.17 (1) (pg) "Transition year" means the 18-month period from the July 1 following the effective date of this paragraph [LRB inserts date], to the

December

31 of the following year.

SECTION 9. 287.17 (3) (a) (intro.) of the statutes is amended to read:

287.17 (3) (a) (intro.) To comply with sub. (2) (a) 2., a manufacturer shall,

no

~~later than February 1, 2010, and annually, no later than September 1 beginning in 2010 the first day of the 3rd month of each program year,~~ submit to the department a registration that includes all of the following:

SECTION 10. 287.17 (3) (e) of the statutes is amended to read:

287.17 (3) (e) A complete registration is effective on receipt by the

department

and is valid until the first day of the 3rd month of the following September 1 program

year unless revoked before that date.

SECTION 11. 287.17 (4) (b) (intro.) of the statutes is created to read:

287.17 (4) (b) (intro.) In each program year other than the program year immediately following the transition year:

SECTION 12. 287.17 (4) (b) 1. of the statutes is amended to read:

287.17 (4) (b) 1. If the manufacturer sold at least ~~250~~ 500 covered

electronic

devices in this state during the previous program year, the manufacturer shall pay a registration fee of \$5,000, except, as provided under sub. (10) (k).

SECTION 13. 287.17 (4) (b) 2. of the statutes is amended to read:

287.17 (4) (b) 2. If the manufacturer sold at least ~~25~~ 250 but fewer than ~~250~~ 500 covered electronic devices in this state during the previous program year, the manufacturer shall pay a registration fee of \$1,250.

SECTION 14. 287.17 (4) (b) 3. of the statutes is amended to read:

287.17 (4) (b) 3. If the manufacturer sold fewer than ~~25~~ 250 covered

electronic

devices in this state during the previous program year, the manufacturer is not required to pay a registration fee.

SECTION 15. 287.17 (4) (be) of the statutes is created to read:

287.17 (4) (be) *Registration fees immediately following the transition year.*

In

the program year immediately following the transition year:

1. If the previous program year was the transition year and the manufacturer

sold at least 750 covered electronic devices in this state during the transition year, the manufacturer shall pay a registration fee of \$7,500, except as provided in sub. (10) (k).

2. If the previous program year was the transition year and the manufacturer

sold at least 375 but fewer than 750 covered electronic devices in this state during the transition year, the manufacturer shall pay a registration fee of \$1,875.

3. If the previous program year was the transition year and the manufacturer

sold fewer than 375 covered electronic devices in this state during the transition

year,

the manufacturer is not required to pay a registration fee.

SECTION 16. 287.17 (4) (d) (intro.) of the statutes is amended to read:

287.17 (4) (d) *Annual shortfall fee* ~~after 2010~~. (intro.) The annual shortfall fee

to be paid by a manufacturer in a program year ~~after 2010~~ is calculated as follows:

SECTION 17. 287.17 (5) (a) 1. a. of the statutes is amended to read:

287.17 (5) (a) 1. a. The total weight of each model of its covered electronic devices sold to households or schools in this state during the program year that began ~~24 months~~ 2 program years before the beginning of the program year in which the report is made.

SECTION 18. 287.17 (5) (a) 1. b. of the statutes is amended to read:

287.17 (5) (a) 1. b. The total weight of all of its covered electronic devices sold to households or schools in this state during the program year that began ~~24 months~~ 2 program years before the beginning of the program year in which the report is made.

SECTION 19. 287.17 (5) (a) 1. c. of the statutes is amended to read:

287.17 (5) (a) 1. c. An estimate, based on national sales data, of the total weight of its covered electronic devices sold to households or schools in this state during the program year that began ~~24 months~~ 2 program years before the beginning of the program year in which the report is made.

SECTION 20. 287.17 (5) (b) of the statutes is amended to read:

287.17 (5) (b) *Weight of eligible electronic devices recycled*. ~~With the registration that it submits under sub. (3) that is due by September 1, 2010, a manufacturer shall report to the department the total weight of eligible electronic devices used by households or schools in this state that were collected by or delivered to the manufacturer for recycling by the manufacturer or that were collected by or delivered to a registered recycler for recycling on behalf of the manufacturer during the last 2 program quarters of the preceding program year. Beginning in 2011, with the registration that it submits under sub. (3), a manufacturer shall report to the department the total weight of eligible electronic devices used by households or schools in this state that were collected by or delivered to the manufacturer for~~

recycling by the manufacturer or that were collected by or delivered to a registered recycler for recycling on behalf of the manufacturer during the preceding program year. A manufacturer ~~may~~ shall also report separately the weight of eligible electronic devices used by households or schools in rural counties and used by households or schools in urban counties for the purpose of obtaining the weight adjustment under sub. (4) (f) for eligible electronic devices received from

households
or schools in rural counties.

SECTION 21. 287.17 (7) (a) 1. (intro.) of the statutes is amended to read:

287.17 (7) (a) 1. (intro.) ~~Beginning on January 1, 2010, no~~ No person may operate as a collector delivering or arranging for the delivery of eligible electronic devices to a registered recycler for recycling on behalf of a manufacturer who is registered under sub. (3) unless the person is registered under this paragraph. A person shall register by submitting, ~~no later than January 1, 2010, and annually,~~ no later than August 1 beginning in 2010 the first day of the 2nd month of each program year, to the department a registration, using a form prescribed by the department, that includes all of the following:

SECTION 22. 287.17 (7) (a) 2. of the statutes is amended to read:

287.17 (7) (a) 2. A complete registration is effective on receipt by the department and is valid until the first day of the 2nd month of the following ~~August 1~~ program year unless suspended or revoked before that date.

SECTION 23. 287.17 (7) (b) of the statutes is amended to read:

287.17 (7) (b) *Reports and records.* No later than ~~August 1~~ the first day of the 2nd month of each program year, ~~beginning August 1, 2010,~~ a registered collector shall report to the department the total weight of eligible electronic devices collected in this state during the preceding program year and the names of all registered

recyclers to whom the collector delivered eligible electronic devices. A registered collector shall maintain records of the sources of eligible electronic devices it collects and of the registered recyclers to whom the collector delivers eligible electronic devices.

SECTION 24. 287.17 (8) (a) 1. (intro.) of the statutes is amended to read:

287.17 (8) (a) 1. (intro.) ~~Beginning on January 1, 2010, no~~ No person may operate as a recycler receiving eligible electronic devices on behalf of a manufacturer who is registered under sub. (3) unless the person is registered under this paragraph. A person shall register by submitting, ~~no later than January 1, 2010, and annually,~~ no later than ~~August 1~~ beginning in 2010 the first day of the 2nd month of each program year, to the department a registration, using a form prescribed by the department, that includes all of the following:

SECTION 25. 287.17 (8) (a) 2. of the statutes is amended to read:

287.17 (8) (a) 2. A complete registration is effective on receipt by the department and is valid until the first day of the 2nd month of the following ~~August 1~~ program year unless suspended or revoked before that date.

SECTION 26. 287.17 (8) (b) 1. of the statutes is renumbered 287.17 (8) (b)

(intro.)
and amended to read:

287.17 (8) (b) ~~Reports and records~~ Annual reporting requirements. (intro.)

No

later than ~~August 1~~ the first day of the 2nd month of each program year, ~~beginning with August 1, 2010~~, a registered recycler shall report to the department ~~the total weight of eligible electronic devices collected in this state that the recycler received for recycling on behalf of a manufacturer registered under sub. (3) during the preceding program year and the name of the manufacturer.~~ all of the following:

SECTION 27. 287.17 (8) (b) 1m., 2m., 3m., 4. and 5. of the statutes are created to read:

287.17 (8) (b) 1m. The total weight of eligible electronic devices collected in this state that the recycler received for recycling on behalf of a manufacturer registered under sub. (3) during the preceding program year and the name of the manufacturer.

2m. The weight of eligible electronic devices collected in this state that the recycler received for recycling on behalf of a manufacturer registered under sub. (3) during the preceding program year, separated into the following categories:

- a. Televisions that contain a cathode-ray tube.
- b. Televisions that do not contain a cathode-ray tube.
- c. Computer monitors that contain a cathode-ray tube.
- d. Computer monitors that do not contain a cathode-ray tube.



**Pennsylvania
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The Keystone of Recycling Markets Development

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February 26, 2018

Understanding National Sword in Pennsylvania

National Sword is not the name of a new Monty Python skit or Hunger Games tool, but rather an ongoing initiative of the Chinese Government to restrict importation of contaminated recycled materials into China. How may this effect Pennsylvania recycling programs? How may this impact those who use your recycling program? What is the word on the ground in China? Read on and hear from the Pennsylvania Recycling Markets Center and the Pennsylvania Office of International Business Development.

A bit of background first. As one may easily realize many of the products we buy in the United States have been made in China. Goods are shipped via ocean freight to the United States often without American made goods returning to China on the same vessels. As a result of this manufacturing base in China, there is an extremely large trade deficit with China which makes return shipping to China very inexpensive. Historically, this is what has made shipping recycled materials to China attractive, and has equally made recyclable materials from the United States the sixth largest import to the Chinese economy.

Simultaneously, single stream recycling growth has not excluded Pennsylvania over the last decade. Not only has recycling volume increased through single stream recycling operations, but correspondingly, inbound post-consumer materials to processors can have increased prohibitives and outthrows from previous recycling collection methods. There is concern this may be passed onto the downstream users of the processed materials in overseas markets, specifically China. This has not gone unnoticed, especially in trade with Chinese recycling markets whereby emerging growth has worked to feed use of US commodities.

As modernity has continued to grow in China, some urban areas are plateauing in their emergence cycle, and as a result, demand for imported, recycled materials has stabilized as in-Nation recycled materials are used. This creates insistence of quality amongst non-contaminated imports. This is particularly true of those materials targeted under the National Sword program, broadly, plastics, fiber(s), and mixed metals. Plastics, one of the largest contributors to residential recycling, is limited by the Chinese Government at 0.5% contamination rate, which is not aligned with internationally recognized quality standards. ISRI, the Institute of Scrap Recycling Industries, has been at the forefront of the National Sword concern, especially as it was adopted on January 11, 2018.

So how in Pennsylvania can we minimize targeting of our recycled materials by import restrictions? How can a collection program be a processor's partner in reacting to their downstream requirements?

1. Material Quality

Material quality, is always a popular evening talking point when at a conference, but also a clear necessity for processors to streamline sortation costs, a necessity for collection programs to avoid extra contamination charges, and a necessity for the ultimate end user of a clean, product ingredient. In all, Chinese officials have stated that approximately 24 types of plastics, fiber, and mixed metals are unwanted



and therefore need stay out of baled, desired material, ultimately translating that program material quality is of utmost importance. Whether the recycled material once sorted would be used domestically or internationally, it is far less likely that loads would be rejected by an end user if material quality is imparted starting with the consumer.

2. Program Education

Whether it be a formalized education program that is well established in a community, or as simple as item acceptance labels for roll carts and bins, in order to prevent unwanted recycled into the container, program education which leads to maintaining or improving what is regularly deposited in a recycling container is at an all-time high. Continuing to provide education programs for those who use collection programs services in order to prevent both intentional and unintentional contamination is what will more likely allow your baled materials to be market ready, international or domestic.

3. More on Prohibitives and Outthrows

With various non-recycling uses for mixed plastics and mixed paper that can be a pathway for recycled materials, such as but not limited to energy recovery, one needs to monitor for changes in end use especially throughout 2017 and 2018.

4. Demurrage, Dock Time & Charges

In the United States, one effect of the National Sword initiative is that in order to sort materials to a lower percentage of impurities, machinery may need to be slowed down, ie, slower belt speeds, slower scanning of materials, and increases potentially in picking of conveyor systems. All of this translates unfortunately to higher costs which ultimately may be reflected in rebates or charges for processing of recyclables. Also, if inspection time is increased at a receiving port, there may be charges associated with this as well, especially as it has been documented that Chinese dock charges are on the rise.

5. Understanding Contracting

If you have contracted for material processing or recycling services, read-up on your contract(s), understand your contracts, and be prepared to have discussions with your solicitor, elected official, or processor if pricing and contaminant charges becomes a concern.

The Pennsylvania Recycling Markets Center has a working partnership with the Department of Community and Economic Development's (DCED) Office of International Business Development (OIBD). With 9 Pennsylvania Business Attraction Offices around the world and 15 trade facilitation offices around the globe, OIBD places their reach, and as needed RMC's reach to 51 countries. This international network of trade and investment offices around the world works with RMC to assist Pennsylvania companies to export to new markets, but more so to assist international companies to invest in Pennsylvania. The Office of International Business can be found at <https://dced.pa.gov/business-assistance/international/>.



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Recently, Mr. Robert Bylone, Pennsylvania Recycling Markets Center's Executive Director, briefly interviewed key personnel of OIBD regarding the National Sword Initiative. Specifically, Bob spoke with Mr. Eric Xu, OIBD's authorized investment representative in Beijing, China and Ms. Irene Tsai of Pennsylvania's Greater China office in Taipei. As a result, this is what we learned about the National Sword directive from their in-Country combined viewpoint, on-the-ground in China.

(RMC) 1. Are you familiar with the National Sword initiative or have you heard about it from a Chinese perspective? If so, please detail what you have learned.

(OIBD) The General Administration of Customs of the People's Republic of China indicated in February 2017 that customs will focus on the following "Five Securities" as an in-depth development of the "National Sword" joint special operations to crack down on key areas and key commodities smuggling:

First is environmental security, to crush the smuggling of "foreign garbage" and to block all entry channels for "foreign garbage" through cooperating with the environmental protection and other departments.

Second is agricultural security, to combat the smuggling of grains and other agricultural products and never to allow smuggling to impact the domestic grain and foodstuff market to a situation where low grain prices hurt farmers and cause job instability.

Third is industry security, to control the smuggling of coal and other resource-based products. Customs will lead the way in controlling and regulating imports and crack down on smuggling to support and protect "capacity-cutting" and other supply-side structural reforms in resource-based industries.

Fourth is taxation security, to fight against the smuggling of tax-related goods, to continue to crack down on the smuggling of key tax-related commodities like tobacco, alcohol and luxury goods, as well as tax refund/rebate fraud, so as to safeguard the security of national taxation.

Fifth is societal security, to combat gunfire and narcotics smuggling. The fight against the smuggling of narcotics, arms and ammunition, and endangered species, and the crackdown of nuclear, biological and chemical explosives need to be continually strengthened, so that they are never allowed to endanger the safety and stability of society.

In fact, as early as 2011, the Ministry of Environmental Protection of the People's Republic of China, along with 4 other governmental departments (Ministry of Commerce, National Development and Reform Commission, General Administration of Customs, and General Administration of Quality Supervision, Inspection and Quarantine), jointly announced detailed specifications for the "Solid Waste Management Measures" and required local regulatory agencies to strengthen enforcement of these measures. Nevertheless, these specifications were never enforced. In April 2017, the Chinese government once again declared the "Implementation Plan for Prohibiting the Entry of Foreign Garbage and Advancing the Reform of the Solid Waste Import Administration System", to gradually ban the import of solid waste. In addition to the planned ban on the import of environmentally-hazardous solid wastes by the end of 2017, the plan also calls for the gradual ban on imports of alternative solid wastes that can be replaced

by domestic resources by the end of 2019. The program also seeks to strengthen the supervision of the import, transport and utilization of solid waste to ensure environmental and ecological safety. In accordance with the above-mentioned implementation plan, China modified and revised the "Catalog of Solid Wastes Forbidden to Import into China", "Catalog of Solid Wastes Restricted for Import as Raw Materials" and the "Catalog of Solid Wastes Unrestricted for Import as Raw Materials", and officially notified the WTO Committee on Technical Barriers to Trade on July 18, 2017, in which they indicated that by the end of 2017, 24 types of solid wastes will gradually be moved from the "Catalog of Solid Wastes Restricted for Import as Raw Materials" to the "Catalog of Solid Wastes Forbidden to Import into China" so as to achieve the policy objective of protecting the environment and human life or health.

(RMC) 2. Are there actual "blockages" of recycled materials at Chinese ports of which you are aware?

(OIBD) Below please find specific cases of returned waste released by the General Administration of Customs of The People's Republic of China:

1. Nanjing Customs Returns Solid Rubber Wastes Abroad
<http://english.customs.gov.cn/Statics/9c778121-cee3-45f6-a25e-609cf71c36fb.html>
2. Shijiazhuang Customs Intercepts 1,462.48 Tons of "Foreign Wastes"
<http://english.customs.gov.cn/Statics/2066d6ba-ae8a-45f4-99a2-e1e4eeb35172.html>
3. Hangzhou Customs Returns Imported "Foreign Wastes"
<http://english.customs.gov.cn/Statics/1e92fa31-ce03-4ac3-a81c-b87f8f5f4b70.html>
4. Dalian Customs Rejects 105-Ton Solid Waste from Entry
<http://english.customs.gov.cn/Statics/d37aa4b9-517d-4281-8232-6a49ceedba6.html>

(RMC) 3. Can you, if possible, speak with one or two Chinese recyclers to find out if they are having problems for the same?

(OIBD) With Chinese New Year earlier this month, lots of companies have been off for the holiday. However, as has been indicated through in-Country contacts, lots of Chinese recyclers have been reported to close their businesses and a lot more companies alike will close down for sure as the Customs carry out stringent inspections. We are able to confirm these facts.



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(RMC) 4. Are you aware of any political inputs to the National Sword initiative and could you please detail the same.

(OIBD) This initiative itself is a national policy as China has been through a series of industry upgrades, and to a point where the government is now aware of the environmental protection issues. The policy has been enacted and will be enforced strictly in the years to come for sure. Consequently, foreign sellers are now looking for alternative markets, such as India.

Additional Resources

<http://money.cnn.com/2017/09/11/news/china-scrap-ban-us-recycling/index.html>

<http://www.isri.org/news-publications/article/2017/07/18/isri-statement-on-china%27s-intent-to-ban-certain-scrap-imports-.Wcb1omeWy5s>

<https://resource-recycling.com/recycling/2017/05/23/national-sword-upending-exports/>

<https://www.mnn.com/lifestyle/recycling/blogs/soon-cant-ship-recycling-china-thats-problem>

<https://resource-recycling.com/recycling/2018/02/13/green-fence-red-alert-china-timeline/>

The RMC provides this information so that readers may have a better understanding of the National Sword initiative in China, and how it may relate to Pennsylvania. Should you have additional questions or concerns with your markets development activities, please contact the Pennsylvania Recycling Markets Center at 717.948.6660 or info@pennrmc.org.



Recycle

Item 19

