

Maryland Recyclers Coalition, Inc.
Board of Directors Meeting
April 20, 2004
Office Paper Systems
Gaithersburg, Maryland

CALL TO ORDER: The meeting was called to order at 10:30 a.m. by Chairman Bob Stumpff.
The following members were present:

Bob Stumpff	Chairman	UMCP	rstumpff@umd.edu
Chaz Miller	Director		cmiller@evasns.org
Brian Ryerson	Director	Office Paper Systems	Ryersonops@aol.com
Tom Parran	Director		tomparran@comcast.net
Bob Ernst	Director	Harford County	cernst@co.ha.md.us
Marilyn Rybak	Treasurer	Prince George's County	merybak@co.pg.md.us
Pam Kasemeyer	Secretary	MDDESWA	pmetz@schwartzmetz.com
Craig Stuart-Paul	President	Recycle America Alliance	Stuart-paul@att.net
James Wood	Director	Midshore Regional Recycling	jwood@friend.ly.net
Charlie Reighart	Director	Baltimore County	creighart@co.ba.md.us
Also Present:			
Barbara Palincsar	Visitor	PEPCO	bopalincsar@pepco
Jackie King	Staff	MRC	Jackie@ksgroup.org
Alan Wilcom	Member	Howard Co.	awilcom@co.ho.md.us
Steve Stein	Member	GBB	sstein@gbbinc.com
Valerie Androustopoulos	Member	Vangel Paper	Valerie@vangelpaper.com
Angie Green	Member	Goodwill Industries	rgreen@goodwillches.org
Carol Taylor	Member	Anne Arundel Co.	pwtay145@mail.aacounty.org
Lori Scozzafava	Member	SWANA	lscozzafava@swana.org
Ron Anderson	Visitor	Office Paper Systems	opsss@aol.com
Harvey Gershman	Member	GBB	hgershman@gbbinc.com
Lisa Harvey	Visitor	Goodwill Industries	lharry@goodwillches.org
Members Absent:			
John Brunner (1)	Director	University Park	Townhall@upmd.org
Ford Schumann (1)	Director	Infinity Recycling	infinrecy@aol.com
Bruce Norton (2)	Director	Constellation Energy	Bruce.a.norton@constellation.com
Richard Keller (2)	Director	MES	rkell@menv.com

MINUTES:

Moved, seconded and carried to approve the minutes of the March 16, 2004 meeting.

PRESIDENT'S
REMARKS:

President Stuart-Paul thanked Office Paper Systems for hosting the meeting and for providing breakfast and lunch, as well as the facility tour. He reported that the MRC was active during the most recent legislative session and the voice of MRC is being heard by MDE and the legislature. He is excited that MRC will be able to share more ideas about legislation and administrative policy as it relates to recycling at the MRC conference. Jonas Jacobson of MDE will be a panelist during the Future of Recycling session and members are encouraged to share ideas about future legislation and policy with him during that session.

TREASURER'S
REPORT:

Copies of the month-end financial statements for the period ending March 31, 2004 were distributed, reflecting total assets of \$16,712.17 for the period ending March 31, 2004.

Moved, seconded and carried to approve the Treasurer's Report for the period ending March 31, 2004.

A Cash Flow Forecast Worksheet through December 31, 2004 was distributed indicating a projected cash balance of \$5031.

REPORT FROM
PLANNING &
RECYCLING, MDE:

No Report.

AWARDS:

Stumpff reported that the awards committee had not met and had not received any awards entries. He recommended extending the deadline for entries to May 14 to encourage greater participation. Jackie King said that she would mail out an email reminder with the revised entry date to all members.

King mailed a letter to the 2003 award winners inviting them to attend the conference and offering one complimentary registration per organization to the conference.

LEGISLATIVE
AND POLICY
COMMITTEE :

Pam Kasemeyer circulated a report on developments in the legislature. The report is attached (Attachment A). The board thanked Kasemeyer for all of her work during the legislative session in keeping MRC informed about relevant legislation and for helping MRC to have a voice in Annapolis.

COMMUNICATIONS:

King reported for Laura Norman and Kelly Palmiotto. King stated that Norman and Palmiotto had been in touch with Steve Kullen about payment for the web site services he provides MRC. He is happy to provide these services to MRC on a gratis basis, but understands that the MRC wants to compensate him for his time. He said that the web site maintenance takes about three hours per month and he thinks that \$20 per hour is a fair amount to charge for his services.

Moved, seconded and carried to approve paying Steve Kullen \$20 per hour for MRC web site maintenance up to the budgeted amount of \$1200 for 2004.

The Committee will be publishing another electronic newsletter at the beginning of May to help promote the conference. Any other submissions for the newsletter should be sent to King via email at jackie@ksgroup.org by April 30, 2004. Any advertising should also be submitted by that date.

CONFERENCE PLANNING COMMITTEE:

MRC 2004 Conference – Bob Ernst reported that the committee met on April 15. They are working on filling in speaker slots and may cancel the Wednesday session. They have not confirmed the Weyerhauser Tour on Friday.

The committee will meet again on April 27 via conference call at 8:30 am to finalize speakers and sessions. The deadline for speaker information to be included in the onsite program is May 7 and ads for the onsite program are due on May 3. King attended the conference committee meeting at the board's request and will coordinate the conference call. King needs the speaker address information to send out their confirmation letters.

King will mail a prospective sponsor/exhibitor letter with forms and the promotional brochure to all prospects and MRC business members this week. King will notify all existing sponsors about ad space and the deadline for submission to appear in the onsite program.

King has ordered plaques for outgoing board members per Ernst's instructions and will also prepare the awards plaques for the 2004 Recycling Awards Recipients.

Kim Reichart needs Silent Auction donations. Donations have fallen this year and she encourages people to donate. She is preparing another mailing to solicit more donors, but asked the board for their help.

Ernst also reported that the Mid-Atlantic Chapter of SWANA is interested in joining with MRC next year in a joint annual conference. The board was very receptive to this idea and wants to pursue this further with the leadership of Mid-Atlantic SWANA.

The next Conference Committee meeting will be held on Tuesday, April 27 at 8:30 am via conference call. Contact MRC Headquarters for details about dialing into the call.

MEMBERSHIP:

James Wood stated that an updated list of unpaid dues for 2004 had been circulated by King. Wood said that some members had renewed after calls were made by board members and encouraged board members to continue contacting any of the names on the list to ask members to renew. An updated list of unpaid members is attached (Attachment B). Wood said the focus now should be on getting people to attend the upcoming conference and enlisting new members to join and attend.

NOMINATIONS:

Reighart reported that the nominating committee for 2004 consists of Ernst, Ryerson and Reighart. The committee has a slate of officers and directors ready for the annual meeting and will be posting the list on the MRC Web Site two weeks prior to that meeting.

The Nominating Committee recommends that the Board of Directors approve a resolution expanding the Board of Directors to 17 members, by creating two additional 2003-05 slots, with one year remaining. This would result in eight 2004-06 slots, and nine 2004-05 slots. The committee hopes that this will build the strongest possible slate to serve MRC and will allow the Board to tap the time and talents of two more deserving MRC members, and strengthen the prospects for shoring up key committees.

Moved, seconded and carried to approve expanding the MRC board by two members to 17 members.

ROC REPORT:

Chaz Miller reported that the next meeting of the ROC will be held at the NRC Conference in San Francisco in August.

EXECUTIVE
DIRECTOR'S
REPORT:

King asked the board to consider which meetings she is to attend the rest of the year. KSG's management contract requires her attendance at six board meetings per year and the April meeting is the fourth she has attended in 2004.

She attended the MRC Conference Planning committee meeting on April 15 and billed MRC 3.5 hours for her time at \$50 per hour. She will also be on the conference call on April 27 and will bill MRC for her time during that call. The conference calling service charges \$.26 per minute for each person on the call.

King said that Carol Hannan of KSG will be at the Annual Conference and her responsibilities will include staffing the registration desk and assisting with the exhibitors and the silent auction. Hannan will also handle pre-registration and food and beverage planning prior to the meeting. She will not be at the annual dinner. MRC volunteers will be needed to check the meeting rooms during the conference. A volunteer will also need to coordinate check-in of attendees and food and beverage at the Annual Dinner at the Rolling Road Country Club.

King will be attending a conference for another client the week of May 17-21, the week prior to the MRC conference. Any questions or concerns during that week should be directed to Carol Hannan.

The board approved King's attendance at the Annual Meeting at the MRC Conference on May 27 and will determine the sixth meeting she is to attend at a later date.

OLD BUSINESS:

NRC – Stuart-Paul is still maintaining an open dialog with Ben Walker of NRC. He will wait until July or August to pursue any changes in the MRC/NRC relationship.

ANNOUNCEMENTS:

- Baltimore County will hold an E-Cycling event on April 3 that set a statewide record of 118,000 pounds.
- Prince George's County will have a compost bin sale on April 24 and an E-Cycling event on May 15. NRC has selected Prince George's County for a remix program for magazines.
- Harford County will host a Household Hazardous Waste event on May 1 and a Paint Collection Event on May 22.

ADJOURNMENT:

The meeting was adjourned at 11:50 am.

Respectfully Submitted,

Jackie King
Executive Director

LAW OFFICES
SCHWARTZ & METZ, P.A.
A PROFESSIONAL ASSOCIATION

10 WEST MADISON STREET
BALTIMORE, MARYLAND 21201
www.schwartzmetz.com

BALTIMORE
TELEPHONE: 410-244-7000
FACSIMILE: 410-332-4505

ANNAPOLIS
TELEPHONE: 410-269-1618
FACSIMILE: 410-269-5443

Memorandum

To: MRC Board of Directors
From: Pamela Metz Kasemeyer
Date: April 20, 2004
Re: 2004 General Assembly Wrap-Up

Partisanship has come to Annapolis and the tenor of the session reflected the new atmosphere in Annapolis. The 2004 General Assembly will be recorded as a session dominated by slots, taxes, and the budget. The debate on these issues alternated between the rhetorical and substantive. The Speaker of the House, President of the Senate and Governor were rarely, if ever, in alignment. Within each of the Houses, the partisan votes and debate were more evident than most veteran Annapolis participants could recall. Maryland politics and with it, the General Assembly, have entered a new era and are presently adrift upon a sea of change. With the failure of slots again this year, it appears the 2005 General Assembly will deal with the same issues (slots and taxes) as mandated increases in state spending (K-12 education) will continue to outstrip the available state revenues. Expect this impasse to continue through the next elections in 2006.

For the waste management industry, the session began with great expectations for significant legislation. There had been ongoing discussions with the Maryland Department of the Environment (MDE) regarding the implementation of application, operating and renewal permit fees for disposal facilities, incinerators and transfer stations. The environmental community advanced a public document called "Greening the Budget" which included a recommendation for a \$5/ton disposal surcharge. Given the State's fiscal circumstances and the willingness of the current Governor to advance "fee" as opposed to "tax" legislation, the environmental community had every reason to believe it would be a busy 90-day session.

MDE's Waste Administration did not, however, get the green light to advance new permit fees. The Governor's office had identified a number of alternative fee proposals for other initiatives and would not support the introduction of fee legislation. The Governor's hesitation to allow the fee legislation to be introduced was bolstered by strong opposition by MACO, generally, and some politically powerful Counties specifically. Surprisingly, none of the more environmentally active legislators advanced the environmental community's recommended tipping fee surcharge. Consequently, neither of the fee proposals had to be addressed by the industry and the 2004 session remained fairly quiet.

There were, however, a number of bills of interest to the industry, most resolved favorably and one of minor consequence. The legislation of most significant impact to collection and hauling companies, is the **transportation funding** bill advanced by the Administration. House Bill 1467/Senate Bill 898 substantially

increases **vehicle registration fees**. In most instances, the fees almost double and the new rates become effective July 1, 2004. The registration fee increase was pursued by the Administration in lieu of the \$.10 gas tax increase that had been under discussion.

The bill, as enacted, will raise about \$165 million dollars for the Transportation Trust Fund. Unfortunately, while the amount raised is significant, it is far from adequate in order to meet the state's future transportation needs. It is fair to anticipate further transportation funding initiatives in the coming years, including a gas tax increase. An amendment which would have delayed the bill's effective date was proposed by Maryland Motor Truck in conjunction with MDSWA. The amendment would have delayed the effective date by 3 months in order to allow companies time to plan for the increase. The Senate was amenable to the delayed effective date and offered the amendment through the conference committee process within the Budget Reconciliation and Financing Act (BRFA). The House, however, would not accept the amendment and the July 1st effective date remained.

House Bill 136, the **mercury labeling and disposal** bill, was passed in a significantly amended form. The original bill included a ban on disposal and sign posting requirements for disposal facilities. The final version deleted the ban and notice requirements and alternatively created requirements for large users of fluorescent lamps to manage the use of the lamps to minimize the release of mercury and to arrange for their reclamation or destination. Regulations are to be promulgated to define the users to which these requirements will apply and to structure various other aspects of the legislation. In its final form, it has no impact on disposal facilities or collection and hauling companies.

House Bill 109, as passed, requires the Maryland Department of the Environment (MDE) to study, in collaboration with various stakeholders, the establishment and implementation, by 2006, of an **electronic waste collection system** in the State for the collection and recycling of electronic waste including cathode ray tubes. The solid waste industry is one of the stakeholders with whom the MDE must collaborate in conducting the study. There are reporting requirements for December 2004 and it should be anticipated that legislation proposing to establish a program will be introduced in the next legislative session.

A bill that would have increased **rubble landfill bonding** requirements and post-closure responsibility timeframes was passed after the House Environmental Matters Committee amended the bill to address the industry's strongest objections. House Bill 638, as amended, doubles the bond amount requirements for rubble landfills but does not change the five post-closure timeframes now reflected in statute. The extended timeframes would have been extremely onerous, but the increased bond requirements minimally increase the cost of the bonds. The House version could not be credibly opposed by the industry and was supported in the Senate to avoid the adoption of more onerous language.

Procurement of environmentally preferable products (EPP) or equipment was given a percentage price preference in state procurements by passage of House Bill 811, which directs various state agencies to incorporate EPP preferences into their procurement process. Passage of House Bill 1020 increased the **litter control fines**. The permit term for Controlled Hazardous Substance Facility permits was increased from 5 to 10 years through the passage of House Bill 1132/Senate Bill 791. Two bills (House Bill 1440 and House Bill 1519) that would have negatively impacted the **State Used Tire and Recycling Fund**, were unsuccessful. Senate Bill 116 which would have required MDE to do compliance checks on all permit applications and renewals, was changed from mandatory to permissive, thereby removing MDSWA's objections. Senate Bill 385 which would have created onerous **debarment** requirements, died in the House. A similar bill had passed in 2003 and was vetoed by the Governor. The Governor's **Brownfield's Initiative** was successful, creating meaningful reform to the State's Brownfield's program.

Finally, the **renewable energy portfolio standard (RPS)** legislation was successfully passed on the last day of the session with waste-to-energy treated fairly in the legislation. House Bill 1308/Senate Bill 869 is structured similar to New Jersey legislation in that there are two tiers of renewable energy sources. Methane gas recovery is included as a Tier I resource and waste to energy is a Tier II resource along with large hydroelectric and the incineration of chicken litter. Beginning in 2006, the Tier I requirement is 1% and

increases by a percentage every two years. In 2019, Tier I is at 7.5% and is held constant thereafter. Tier II resources begin at 2.5% and remain constant until 2019 when they drop to 0%. The bill requires WTE facilities to accept trash from communities that have a recycling rate comparable to Maryland's MRA requirement in order to be eligible as a REC.

In 2016, the Public Service Commission (PSC) is charged with studying the environmental and economic impacts of the RPS including the impact of Tier II resources. It is to make recommendations on the continuation of the RPS, including the tiering structure and which resources are included. The study is to be concluded two years before Tier II percentages drop to 0% allowing for their continuation or restructuring. Given the uncertainty of the electricity industry in 2019, this structure should reasonably protect waste to energy and methane gas recovery.

The Governor, President of the Senate and Speaker of the House have scheduled bill signings for the following dates:

Tuesday, April 13 – 10:00 a.m. to 12:00 p.m.
(Traditional *Sine die* Ceremony)

Tuesday, April 27 – 10:00 a.m. to 12:00 p.m.

Tuesday, May 11 – 10:00 a.m. to 12:00 p.m.

Wednesday, May 26 – 10:00 a.m. to 12:00 p.m.