

MEETING MINUTES: City of Philadelphia Solid Waste and Recycling Advisory Committee (SWRAC)

DATE: November 5th, 2015

MEETING HELD VIA CONFERENCE CALL

ATTENDEES:

SWRAC Members Present

Michelle Feldman, Keep Philadelphia Beautiful
Fern Gookin, Revolution Recovery
Bob Anderson, ReCommunity Recycling
Phil Bresee, Streets Department/Recycling Office
Jack Embick, Environmental Law
Paul Kohl, Philadelphia Water Department
Maurice M. Sampson II, Niche Recycling
Charles Raudenbush, Waste Management
Vivian Van Story, Community Land Partnership
Mike Roles, Clean Water Action
Andrew Sharp, Mayor's Office of Sustainability (alternate for Katherine Gajewski)
Megan Garner, Philadelphia School District (alternate for Francine Locke)
Katie Edwards, Clean Air Council (alternate for Joe Minot)

Others Present

Shoshana Bricklin, Office of Councilwoman Cindy Bass
Amy Cornelius, Concerned Citizen

City Staff/Consultants

Donald Carlton, Deputy Streets Commissioner
Scott McGrath, Director of Environmental Services, Streets Dept.
St. Martin Torrence, Director of Legislative Affairs, Streets Dept.
Maria Vamvakidou, Program Administrator, Streets Dept., Sanitation Division
Jim Osborn, ARI
Terry Keene, MSW Consultants
Allison Sands, Recyclebank
Erin Cartwright, Recyclebank

Call to order/introductions:

The meeting was called to order by SWRAC co-chair Michelle Feldman at approximately 2:05 p.m.

Meeting Objectives:

SWRAC co-chairs outlined meeting objective, which was to re-consider tabled motion from October 22nd SWRAC meeting regarding approval of the proposed new recycling ordinance, or Council Bill No. 150748 (Councilwoman Bass).

Staff Presentation and Committee Discussion:

City of Philadelphia Recycling Director Bresee shared that Bill No. 150748 is scheduled to be heard by City Council's Streets & Services Committee on November 30th, beginning at 1 p.m.

Bresee provided a summary of the October 22nd SWRAC meeting, and then original recycling ordinance (1251-A) which was adopted in 1987. He noted it was adopted prior to PA Act 101 (1988), and was an early model for recycling ordinances passed around the U.S.

Bresee then referred to revised legislation documents related to the proposed ordinance, and the need to amend and repeal outdated parts of City Code, and referred to the two reformatted versions of the Council Bill delivered to SWRAC: One with repealed language being shown in strike-through vs. brackets; and another with all changes accepted (both are attached). Bresee began a page-turn review of the version with the repealed language shown in strike-through, starting with proposed changes to Section 10-717 of City Code.

Discussions ensued. Jack Embick posited that SWRAC objections were not related to the proposed *administrative* changes (Task Force, RAC and its authority, number of required MRFs, etc.), but were due to the bill's lack of defined goals and objectives. Mr. Embick also reiterated concerns over the process that the Department followed to solicit SWRAC input, and referenced situations in years past in which the RAC didn't believe the Department acted in a fully transparent manner.

Bresee explained the process for moving the Bill to this stage, and that crafting it involved coordination with multiple agencies. City staff also responded that they believe there are other more appropriate places for establishing and enumerating goals, including:

- Solid Waste Management Plan
- Greenworks
- A revised Executive Order from the Mayor

Co-chair Michelle Feldman reminded SWRAC that she and co-chair Fern Gookin issued a call for volunteers to serve on a goals development & policy workgroup.

Staff pointed out that PA Act 101 (1988) establishes goals, as well as the requirements for a SWRAC and a recycling director. Bresee further noted that it can be the City's Law Department's practice to eliminate redundancies in state and local laws.

Streets Deputy Commissioner Donald Carlton discussed the changes occurring to the MSW stream. The stream is "lighter" now, with less paper, a shift from glass and metal to plastics, and light-weighting of materials. These trends will make goal-setting more difficult, and they should therefore be addressed in more flexible documents, such as the SW plan, Greenworks, and executive orders.

Some SWRAC members further opined that by removing goals and objectives from the ordinance, the City's approach to recycling could be diluted by future administrations or departments. In addition, members expressed concerns over whether PA Act 101 could be repealed.

City staff shared that recycling's fiscal benefits to the city are understood by the Administration and Council, and that to move away from recycling would result in increased disposal fees, as well as loss of a significant amount of grant monies awarded by the state through Act 101. Staff also reported that the City would be at risk of

further state financial penalties for failure to comply with Act 101. Furthermore, Governor Wolf is a proponent of recycling and Act 101, and there have been no serious moves to repeal or defund it in the General Assembly.

Shoshana Bricklin, Legislative Director for Councilwoman Cindy Bass, explained aspects of the legislative process, and shared that the Bill can be amended in committee. She expressed willingness on behalf of Councilwoman Bass to review SWRAC's concerns and examine ways to address them through amendment.

Maurice Sampson offered that SWRAC and staff may be closer to mutual understanding than we think. Bresee pointed out that there is one more SWRAC meeting prior to the November 30th City Council meeting. It was suggested that SWRAC members be allowed to submit additional comments, for possible clarification and consideration, to synthesize comments and reflect the record. The SWRAC co-chairs specified that the comments need to be in writing, addressed to them, and sent by November 12th. A polling of SWRAC members found unanimous agreement with the approach.

The meeting was adjourned at approximately 3:05 p.m.