

August 2008

States Come to Wisconsin to Report on E-waste Legislation

Steve Brachman

The Wisconsin DNR hosted a meeting in late July to deal with issues related to setting performance standards for e-waste recyclers. At that meeting, John Anderson, Senator Mark Miller's legislative assistant, indicated that SB 397 (the electronic waste recycling bill) will be reintroduced soon with January action likely. At this meeting, several states also reported on their progress in implementing e-waste standards, including:



Washington State has developed standards for recyclers based upon EPA's R2 standards, although their legislation doesn't require it. They have developed a dual approach which includes:

- A minimum set of standards, required by regulation, and
- A preferred processor standard, which include Energy Star components and supply chain requirements.

In addition, the Washington standards require all processors to do an independent audit to confirm status, based upon existing industry standards.

Minnesota reported that establishing recycling standards has not been a significant part of the debate in Minnesota, since hazardous waste authority has been delegated to the counties in the metro area. The Minnesota law contains minimum standards also based upon R2 standards and includes a ban on prison labor. MN chose not to go through rule making process to accomplish this and is not doing anything special to regulate export of materials, which is governed by federal law.

Illinois reported that their bill (SB2313) has passed both houses and will be signed by governor shortly. Implementation begins in 2010, using a hybrid approach in which manufacturer's recycling goals are based upon market share, while IT retailers recycling goals are based upon return share. Section 50 of the bill establishes standards based upon the State of Maine. Manufacturer's can only use registered recyclers which are also banned from using prison labor. Finally, the Illinois legislation has attempted to make the tracking of materials as transparent as possible.

Current activity in **Wisconsin** is focused upon establishing standards early (prior to program implementation) while keeping the playing field level. With more time available to draft key provisions, legislative reference bureau staff indicated that the current substitute amendment would be the place to start and that administrative rules will need to be unambiguous. For example, minimum standards could be specified by rule, while preferred processor standards could be implemented through other programs, such as Green Tier.

Finally, some manufacturer's indicated that technical assistance should be built into the law to assist in guiding decision making and assuring proper due diligence.

Bag Fee Trend Continues

Joe Van Rossum

The City of Seattle Washington passed legislation on July 28 that will add a 20-cent fee to any plastic or paper bag given to a customer. While this continues a trend by cities to address litter from plastic bags, Seattle has chosen to include paper as well. The fee set to take effect on January 1, 2009 will impact disposable shopping bags provided at convenience, drug, and grocery store checkouts. The City hopes the fee will reduce the use of disposable bags by more than 50%; it is estimated 360 million bags are used in the city each year. A portion of the proceeds from the fee will be used to distribute free reusable bags to city residents and retailers will be able to keep a portion of the fee to cover administrative costs of the program. The legislation also addressed the use of expanded polystyrene containers used by restaurants and grocery stores to package food. These containers will be banned beginning on January 1, 2009. Foam trays for raw meat and seafood will also be banned in July of 2010 and must be replaced by compostable alternatives. These initiatives are part of Seattle's effort to reduce solid waste and move toward a Zero Waste goal.

Packers Going "Green"

Amid all the coverage of the Green Bay Packers and a certain quarterback during the past few weeks a July 22 press release may have gone unnoticed. The Packers announced plans to purchase renewable energy and efforts to reduce or recycle more waste. See the press release here: <http://www.packers.com/news/releases/2008/07/22/1/>



Compost Facility Operator Training Scheduled

The UW-Extension Solid & Hazardous Waste Education Center (SHWEC) is pleased to announce its sponsorship of an educational program for Compost Facility operators. Program attendees will gain an understanding of the basics of compost facility operation as well as learn about the value of compost products and facility regulation. Program dates and locations are listed below for this free program.

August 21, 2008 – 9:00 am Brown County MRF 2561 South Broadway Green Bay, WI 54304	August 27, 2008 – 9:00 am Marathon County Extension 212 River Drive Wausau, WI 54403	August 28, 2008 – 9:00 am Dane County UW Extension 1 Fen Oak Court Madison, WI 53718
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Who should attend?

Municipal compost operators & managers
Private composters
Others interested in large scale composting

What will you learn?

- Basics of composting
- Compost product testing and uses
- State regulation of compost sites

To participate in this **FREE** program you must **RSVP** via email to Joe Van Rossum at vanrossum@epd.engr.wisc.edu or by phone at (608) 262-0936. Respond soon as there are a limited number of spaces available for the program.

Mercury in Products Phase-Down Strategy for the Great Lakes is Announced



The Great Lakes Regional Collaboration (GLRC) Executive Committee announced the release of the Mercury in Products Phase-Down Strategy which was developed and written by a team of State, Federal, Tribal, and City government staff in fulfillment of a GLRC recommendation to phase out mercury in products in the Great Lakes basin by 2015.

The Strategy makes more than 60 recommendations for action to be taken by Great Lakes states, cities and tribes to minimize mercury use and the releases caused by remaining uses of mercury-containing products. These include state bans on the sale of some, but not all, mercury-containing products and a variety of mandatory and voluntary measures for managing the disposal of all mercury-containing products. The Strategy is now available at <http://www.glrc.us/initiatives/toxics/index.html>.

Green Schools for Every Child: An Opportunity in the Making

Sherrie Gruder

More than 20% of America goes to school every day. These learning environments have a profound impact on the health and well-being of our children. Schools that are designed and built green have excellent daylight that makes it easier for students to learn. They have healthy indoor environments without toxic paints, glues and furniture and provide clean, fresh indoor air. And they cost less to operate because they are significantly more energy efficient and durable, relieving some strain on school budgets. They also provide hands-on learning opportunities for students about topics like water and energy conservation and efficiency, materials and where they come from and what they are recycled into, health and man-made chemicals. Green schools also provide an opportunity to help mainstream green building practices.



The US Green Building Council (USGBC), the nonprofit that developed and administers the LEED Green Building Rating System, has a national Build Green Schools campaign. They are recruiting volunteers through the state USGBC chapters, which, in Wisconsin is the Wisconsin Green Building Alliance www.wgba.org, to lead local outreach for the Green Schools Campaign. Their goal is to help create Green Schools for every child in Wisconsin within a generation. The website for USGBC's Build Green Schools program is: www.buildgreenschools.org

In Wisconsin, the first LEED gold school was built in Eagle River (see SHWEC Newsletter, June 2007) This high school was built at 23% below the median cost per square foot of high schools across the US.

Another green schools program is called CHPS or the Collaborative for High Performance Schools. Originally developed for the California school market, CHPS has been adapted for the climates and school systems in Washington, Massachusetts, New York and the New England states. More information about CHPS can be found at <http://www.chps.net/>.

On June 4, 2008, the US House of Representatives passed a bill that calls on the federal government to invest in updating the aging infrastructure of our public schools – and to invest wisely by using green building programs. The 21st Century Green High-Performing Public School Facilities Act (HR 3021) would provide \$20 billion to schools over the next five years for building safe and energy-efficient schools. Projects would have to meet one of three widely recognized standards for building construction materials and energy sources: Leadership in Energy and Environmental Design (LEED) Green Building Rating System, Energy Star, or Collaborative For High Performance Schools.

“Supporters cited studies that a green school uses 35 percent less energy than a conventional school, reduces carbon dioxide emissions by 40 percent, uses 30 percent less water, and has better lighting and temperature controls that encourage student achievement.” (eSchool News, June 5, 2008) The White House threatened a veto, however.

Environmental News Briefs of Interest.....

EPA Determines Regulation Not Needed for 11 Potential Drinking Water Contaminants

The EPA announced July 24th that it has made a final determination not to regulate 11 contaminants on the second drinking water contaminant candidate list (CCL 2). The agency concluded that the contaminants do not occur nationally in public water systems, or occur at levels below a public health concern. The agency's final regulatory determination is based on extensive review of health effects, occurrence data and public comments. The 11 contaminants include naturally occurring substances, pesticides, herbicides, and chemicals used (or once used) in manufacturing. While none of the contaminants were found nationally at levels of public health concern in public water systems, EPA is updating health advisories for seven of the contaminants to provide current health information to local officials for situations where the contaminants may be present. For information on the Drinking Water Contaminant Candidate List and Regulatory Determinations go to: <http://www.epa.gov/safewater/ccl/index.html>

EPA Releases Report on Climate Change and Health

The U.S. Environmental Protection Agency has released a report that discusses the potential impacts of climate change on human health, human welfare, and communities in the U.S. The report, entitled "Analyses of the Effects of Global Change on Human Health and Welfare and Human Systems," also identifies adaptation strategies to help respond to the challenges of a changing climate and identifies near- and long-term research goals for addressing data and knowledge gaps. For the report and more information go to:



<http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=197244> and for the Office of Research and Development's Global Change Research Program:

<http://www.epa.gov/ord/npd/globalresearch-intro.htm> and the U.S. Climate Change Science Program (CCSP): <http://www.climatescience.gov/>

EPA Climate Leaders Now 200 Partners Strong

EPA welcomed 51 new partners as Climate Leaders program, breaking the 200 mark. In addition, eight companies took the next step in the partnership by announcing new greenhouse gas (GHG) reductions goals. Together, EPA's Climate Leaders represent more than ten percent of the U.S. Gross Domestic Product and have pledged to prevent estimated GHG emissions equivalent to nine million cars annually. Climate Leaders, launched in 2002, is a voluntary program that works with companies to measure greenhouse gas emissions and to set aggressive long-term emissions reduction goals. Two Wisconsin companies joining were Rockwell Automation, Milwaukee and Western States Envelope Company in Butler. For the list of Climate Leaders partners and GHG goals, visit: <http://www.epa.gov/climateleaders/partners>

EPA Releases Science Assessment on Health Effects of Nitrogen Oxides

EPA has also released the final "Integrated Science Assessment for Oxides of Nitrogen—Health Criteria." This is EPA's latest evaluation of the scientific literature on the potential adverse human health effects resulting from exposures to oxides of nitrogen, particularly nitrogen dioxide or NO₂. Oxides of nitrogen is one of the six criteria pollutants for which EPA is required to issue air quality criteria under the Clean Air Act (CAA). EPA set a national ambient air quality standard (NAAQS) for nitrogen dioxide (NO₂), an indicator for gaseous nitrogen oxides, at an annual average of 0.053 parts per million (ppm). The CAA also requires EPA to periodically

update the scientific basis for these standards by preparing an Integrated Science Assessment. The report can be accessed at: <http://www.epa.gov/ncea> under "Recent Additions."

EPA Releases Greenhouse Gas Document for Public Comment

EPA released an Advance Notice of Proposed Rulemaking (ANPR) soliciting public input on the effects of climate change and the potential ramifications of the Clean Air Act in relation to greenhouse gas emissions. The action is in response to the April 2, 2007 Supreme Court decision in *Massachusetts v. EPA*, which found that greenhouse gas emissions could be regulated if EPA determines they cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. With the ANPR, EPA is evaluating the broader ramifications of the decision throughout the Clean Air Act, which covers air pollution from both stationary and mobile sources. The ANPR solicits public after publication in the Federal Register which begins a 120-day public comment period. To read the ANPR go to:

<http://www.epa.gov/epahome/pdf/anpr20080711.pdf> and a fact sheet is available at: <http://www.epa.gov/epahome/anprfs.htm>

Transition to CFC-free Metered Dose Inhalers Moves Forward

For the 2008 calendar year, EPA has allocated 27.0 metric tons of CFC-114 for the manufacture of epinephrine metered dose inhalers (inhalers). In accordance with the *Montreal Protocol on Substances that Deplete the Ozone Layer* and the Clean Air Act, EPA phased out chlorofluorocarbons (CFCs) in 1996, with limited exemptions, one of which is for use in essential use inhalers to treat asthma and chronic obstructive pulmonary disease.

The transition to CFC-free inhalers is well underway and is part of a larger transition that has affected many other consumer and industrial products and sectors over the last several decades. Since 1996, EPA has significantly reduced the amount of CFCs allocated to pharmaceutical companies from 4,365 metric tons in 1998 to 167.0 metric tons in 2007. In addition EPA regulations will prohibit the sale and distribution of CFC-albuterol metered dose inhalers after December 2008. Information on the transition for albuterol inhalers is available at FDA's Web site at: <http://www.fda.gov/cder/mdi/albuterol.htm> and information on the 2008 essential use allocation is available at:

<http://epa.gov/ozone/title6/exemptions/inhalers.html>

EPA Honors Recipients of 2008 Presidential Green Chemistry Challenge Awards



For the 13th straight year, the U.S. Environmental Protection Agency is recognizing chemical technologies developed by leading researchers and industrial innovators that are making significant contributions to pollution prevention in the United States. The awards were given out at the awards ceremony in Washington, D.C. The Presidential Green Chemistry Challenge Awards are given in five categories: Academic, Small Business, Greener Synthetic Pathways, Greener Reaction Conditions and Designing Greener Chemicals. Over the past 13 years, the winners' work has led to the elimination of over 1.1 billion pounds of hazardous chemicals and solvents, over 21 billion gallons of water, and nearly 400 million pounds of carbon dioxide. These benefits are in addition to significant energy and cost savings by the winners and their customers. For the Presidential Green Chemistry Challenge 2008 Awards: <http://www.epa.gov/greenchemistry/>

Driving the SmartWay: EPA Debuts New Campaign to Help Drivers Save Fuel, Money and Protect the Environment

EPA also recently announced the SmartWay Leaf Campaign to encourage consumers to purchase SmartWay-certified cars and trucks. The national campaign features broadcast, radio, and print public service announcements that will help consumers recognize the SmartWay leaf as a symbol of cleaner and more fuel efficient transportation choices. The campaign encourages consumers to "buy smart" simply by looking for the EPA SmartWay certification mark on cars and trucks when shopping for a new or used vehicle. Roughly 20 percent of all vehicles -- covering a wide variety of makes and models -- qualify as clean and green enough to be SmartWay-certified. For more information about SmartWay, visit: <http://www.epa.gov/smartway> To visit EPA's green Vehicle Guide, go to: <http://www.epa.gov/greenvehicles>

Grantees Receive \$6.3 Million to Boost Property Revitalization

Sixteen state or local governments are receiving supplemental grants from the U.S. Environmental Protection Agency to help return problem properties to productive use. Milwaukee is receiving a \$500,000 award as part of the more than \$6.3 million being awarded to brownfields cleanup revolving loan funds grantees. Brownfields are sites where expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. More information on brownfields cleanup revolving loan fund pilots and grants go to: <http://www.epa.gov/brownfields/rflfst.htm> For General information on EPA's Brownfields program: <http://epa.gov/brownfields/>

Clean Diesel Emerging Technology Grant Funding Now Available

The U.S. Environmental Protection Agency plans to award approximately \$3.4 million in grants to establish projects using emerging technologies to reduce emissions from the nation's existing fleet of diesel engines. State, local, regional and tribal governments may apply for the grants, as well as non-profits and institutions with transportation, educational service, and air quality responsibilities. Emerging technology manufacturers must partner with an eligible applicant to receive this funding. The grants are targeting school or transit buses, medium and heavy-duty trucks, marine engines, locomotives and non-road engines. Grant proposals must be submitted by Sept. 21, 2008. The final awards will be announced in December. For more information about this grant, visit: <http://www.epa.gov/otaq/diesel/grantfund.htm> For more information about the Emerging Technology Program, visit: <http://www.epa.gov/otaq/diesel/prgemerg.htm> and to view the qualifying emerging technologies list at: <http://www.epa.gov/otaq/diesel/prgemerglist.htm>

Events, Training, Workshop and Tour Opportunities.....

August 28, **LEED for Homes Gold Tour of Twin Home**, St. Paul, Minnesota. Tour of affordable sustainable twin home using LEED for Home program as roadmap. **Register for LEED for Homes Gold Tour**

September 9-10, 2008, **Energy Modeling for High Performance Buildings**, Pyle Center, Madison, WI. For information or to register call Joy Altwies, 1-800-462-0876.
<http://epdweb.engr.wisc.edu/Courses/webJ935>

September 15-16, 2008, **The Green Building Process: Real World Strategies & Tools**, Pyle Center, Madison, WI. For information or to register call Joy Altwies, 1-800-462-0876.
<http://epdweb.engr.wisc.edu/Courses/webJ936>

September 17, 2008, **SE2 Conference of the WI Green Building Alliance**. Country Springs Hotel, Waukesha. A conference on the decision driving issues, risks and benefits related to green building. Register on line at **www.wgba.org/se2.html**

September 18-19, 2008, **Upper Midwest Planning Conference – Planning for Sustainability**, Monona Terrace, Madison. To register go to
<http://www.planning.org/chapters/conferences.html>

September 30- October 2, 2008, **12th Annual Conference on Comprehensive Solid Waste Management Solutions**, Best Western Grand Seasons Resort, Waupaca. Agenda topics include pharmaceuticals, business recycling, product stewardship, sustainability and more! Conference jointly sponsored by the Northeast Wisconsin Cooperative Marketing Group (NEWCMG) and Wisconsin Counties Solid Waste Management Association (WCSWMA). For more information or to register contact Manitowoc County MRF Manager, PO Box 351, 3000 Basswood Road, Manitowoc, WI 54220 or call (920) 683-5031.

Oct. 4, 2008 **Wisconsin Solar Tour**. Homes and business all across Wisconsin. Owners throw open their doors to let people see how renewable energy is practical, reliable and affordable in today's economy. Although it is officially called the Wisconsin Solar Tour, sites include all sorts of renewable energy technologies and other innovative features. Sponsored by the Midwest Renewable Energy Association. More information at **<http://www.the-mrea.org>**.

October 6-8, 2008, **Renewable Energy from Organics Recycling**, Madison Marriott West, Madison, WI. For preliminary agenda or to register, go to **www.biocycle.net** or call 610-967-4135 x 21.

October 28-30, 2008, **Mechanical System Design for Green Buildings**, Pyle Center, Madison, WI. For information or to register call Joy Altwies, 1-800-462-0876.
<http://epdweb.engr.wisc.edu/Courses/webJ937>

October 27-31, 2008, **The Commissioning Process for Delivering Quality Constructed Projects**, Pyle Center, Madison, WI. For information or to register call Joy Altwies, 1-800-462-0876.
<http://epdweb.engr.wisc.edu/Courses/webK410>

November 19-21, 2008, **Green Build International Conference and Expo**, Boston. For information go to **<http://www.greenbuildexpo.org/>**