

**OPEN SESSION MINUTES  
WINNEBAGO COUNTY BOARD OF SUPERVISORS  
SOLID WASTE MANAGEMENT BOARD**

DATE: January 16, 2013

TIME: 9:00 a.m.

LOCATION: Sunnyview Landfill  
100 W. County Road Y  
Oshkosh, WI

PRESENT: Pat O'Brien, Chairman  
Paul Eisen, Secretary  
Pat Brennand  
Mike Easker  
Gerry Konrad  
Doug Nelson

EXCUSED: Ken Robl, Vice Chairman  
David Albrecht  
Jerry Finch

ALSO PRESENT: John Rabe, Director of Solid Waste  
Jennifer Semrau, Recycling Specialist  
Kurt Pernsteiner, Facility Manager

1. Call to Order: P. O'Brien called the meeting to order at 9:01 a.m.
2. Approve Agenda: Motion to approve the January 16, 2013 agenda, made by P. Brennand and seconded by D. Nelson. Motion carried 6-0.
3. Public Comments on Agenda Items: None.
4. Announcement/Communications: J. Rabe informed the SWMB that Laura Grant had been hired and began working as the new Scaleperson in the Solid Waste Department.
5. Approval of Minutes – December 19, 2012 Open Session: Motion to approve the December 19, 2012 open session minutes made by G. Konrad and seconded by P. Brennand. Motion carried 6-0.
6. Discussion/Action – Medication Collections Report & Legislative Update: J. Semrau updated the Solid Waste Management Board (SWMB) as follows:

Winnebago County Program

- Three permanent drug drop boxes are located in Winnebago County, available 24/7 in the lobby of local police departments:
  - City of Oshkosh, 420 Jackson St

- City of Neenah, 2111 Marathon Ave
  - Town of Menasha, 2000 Municipal Dr, Neenah
- Newest is the Town of Menasha box, which was added in Summer 2012.
- Medications from the boxes are sorted quarterly (Oshkosh, Menasha).
- This year, over 2,800 pounds of medications were collected; after removal of packaging, nearly 1,900 pounds remained.
- Medications collected include prescription and over-the-counter, human and pet, in assorted forms (liquids, pills, creams, inhalers, etc.)
- Material is disposed of via the Drug Enforcement Administration (DEA) program (Spring/Fall) and via hazardous material contractors.
- Most medications have been disposed of for no charge via the DEA collection/disposal program. However, Winnebago County (with Calumet and Outagamie Counties) does apply for a Dept. of Agriculture, Trade and Consumer Protection (DATCP) grant each year for pharmaceuticals as well.
- In 2012, Winnebago County received a \$6,300 grant which covered all medication disposal expenses and educational outreach.
- For 2013, Winnebago County has received a DATCP grant in the amount of \$5,300.

#### Statewide Program

- The Wisconsin Pharmaceutical Waste Working Group (PWWG) continues to meet; last meeting was January 10, 2013.
- At the last meeting, the following statistics were shared:
  - Since 2009, there are more deaths from drugs than from traffic accidents in the US.
  - More people, especially young people, die from prescription drugs than from all other illegal drugs combined - whether through illicit use or accidental overdoses.
  - The drug mortality rate has nearly doubled in the past 10 years, and someone dies from drugs every 14 minutes in the US.
  - In Wisconsin, recreational use of prescription drugs is second only to marijuana. Prescription drugs, not marijuana, are the gateway drug to heroin and cocaine abuse.
  - Measurable amounts of pharmaceuticals have been detected in Lake Michigan.
  - Four pharmaceutical drugs were found in fish pulled from Chicago's North Shore Channel and tested by Baylor scientists (antihypertensive, antidepressant, antihistamine and antiseizure medications).
- On January 10, 2013, the WDNR released the results of a Pharmaceutical Waste Study. Amongst the results of the 68 page report are the following facts:
  - An estimated 118.8 million prescriptions and over-the-counter medicines - approximately 13.1 million pounds - were dispensed and sold in Wisconsin in 2010.
  - An estimated 4.38 million pounds went unused due to expiration and/or discontinuation of use.
  - Approximately 93,500 pounds of household pharmaceuticals (or roughly 2% of the 2010 unused total) were safely collected via take-back programs in Wisconsin in 2011.

The remaining pharmaceuticals were discarded in the trash, flushed down the drain, abused, or stored indefinitely in the medicine cabinet.

- Total costs for pharmaceutical take-back programs in Wisconsin in 2011 were approximately \$276,000; however not all costs were reported.
- Based on a subset of reliable data, the estimated total cost of Wisconsin take-back programs, including donations, labor value and disposal costs, ranges between \$8.05 and \$10.07 per pound, or \$0.13 to \$0.17 per capita. These programs are funded primarily through municipal tax revenues and grants. By comparison, producer-managed programs in Canada and France cost approximately \$3.50 per pound and \$0.23 per pound, respectively.
- Barriers to effective waste pharmaceutical collection program include high costs, lack of sustainable funding, consumer inconvenience, government regulation of controlled substances, limited in-state capacity for pharmaceutical destruction, inadequate program promotion and low public awareness.

#### Mail-back Program

- When the SWMB was last provided a pharmaceutical update (October 2011) a statewide mail-back program for medications had recently begun (August 2011).
- The 36 Counties of the Great Lakes Basin were participants, with 14 locations in Winnebago County.
- At these locations, residents could receive a postage-paid envelope to mail unwanted medications for disposal.
- Program was intended to run for one year. However in December 2011, DEA told Wisconsin to suspend the program and to “cease the further distribution of mailers.” DEA had given their permission for the mail-back to occur, but apparently withdrew its support as DEA was in the process of drafting new regulations regarding pharmaceutical collection programs.
- In the few months that the mail-back program operated, approximately 2,000 pounds of medications were collected.

#### DEA Proposed Regulations

- The Secure and Responsible Drug Disposal Act of 2010 required the DEA to propose regulations which upon implementation would expand options to collect controlled substances from ultimate users for destruction.
- Proposed regulations were released on December 21, 2012 with public comment accepted until February 19, 2013.
- Proposed regulations outline voluntary collection methods and do not require the establishment or operation of take-back programs by any party (i.e. pharmacies, law enforcement, etc.) or address financing mechanisms for take-back programs.
- Proposed regulations do contain specific language and requirements to those law enforcement agencies which do voluntarily operate take-back programs. Regulations also propose to allow

authorized manufacturers, distributors, reverse distributors and retail pharmacies to voluntarily conduct mail-back or take-back receptacles with specific requirements.

#### Take-back "Events"

- Take-back "events" can only be held by law enforcement agencies as events lack the security of a permanent collection and may be more vulnerable to diversion.
- No other person besides the ultimate user and law enforcement may handle controlled substances at all during the event.

#### Mail-back and Take-back Receptacles

- Drug manufacturers, distributors, reverse distributors and retail pharmacies can register with the DEA to become a "collector."
- Collectors may maintain a take-back collection receptacle at a DEA registered location or conduct mail-back programs.
- Collectors operating a mail-back must use an on-site method of destruction. Because of this, if a retail pharmacy wished to provide envelopes to its customer for a mail-back program, it would need to partner with a reverse distributor, capable of on-site destruction.
- Mail-back packages can be provided at no cost or for a fee; must be postage-paid and pre-addressed to authorized mail-back location; non-descript, tamper-evident and tear-resistant; have a unique ID number so that each package can be tracked; and instructions for user (what can be sent, etc.)
- Take-back receptacles (drug drops) may be operated by law enforcement or registered collectors (above) and cannot be at any other locations (i.e. community centers, libraries, hospitals [unless at pharmacy within]). Receptacles must have a permanent outer container with removable inner liner, securely fastened to permanent structure (wall, floor, immovable countertop), lockable, signage and inner liner must be sealable, have a permanent/unique ID number and only be removed under supervision of two authorized employees.
- Regulations also outline record-keeping, specifications for long-term care facilities, deadlines for controlled substance destruction and mandates that controlled substances be "non-retrievable" (incineration and chemical digestion would qualify; flushing or mixing with coffee grounds/kitty litter would not).
- It is also believed that once the DEA regulations are finalized, they will discontinue the twice a year (Spring/Fall) DEA medication collections. Winnebago County and communities across Wisconsin and the country currently use these events to collect and dispose of medications, at no cost.

#### Issues with Proposed Regulations:

- No one except ultimate user and law enforcement may handle controlled substances: users and law enforcement do not in many cases know which medications are controlled substances (and which are not). Further pharmacists, handle controlled substances when issuing prescriptions, but cannot in a take-back situation? In addition, currently medications from take-backs are

sorted by SWMB staff, Health Department staff, volunteers and others (separating medication from packaging and separating controlled substances) none of whom could touch controlled substances under the proposal.

- Contents of take-back inner liners and mail-back envelopes may not be opened or inventoried in anyway, so as a result will need to be treated as controlled substances: currently approximately 30% of the weight of medication collected is packaging, which in many cases can be recycled or at least disposed of in a solid waste facility. In addition, currently less than 10% of medications collected are controlled substances. The requirements for the disposal of controlled substances are much more stringent/costly. The proposal effectively takes all collected medications (packaging, over-the-counter, non-controlled) and requires them to stored and disposed of as controlled substances.

Discussion ensued amongst the SWMB.

P. Eisen suggested that each SWMB member could submit comments individually to increase the impact of comments submitted.

Motion to direct J. Semrau to draft a letter from the SWMB outlining concerns with the proposed DEA regulation, in consultation with other appropriate Wisconsin entities (other Counties, AROW, etc.), made by G. Konrad, and seconded by P. Brennand. Motion carried 6-0.

7. Discussion – 2012 Tonnage Reports & Hauling Update: K. Pernsteiner shared 2012 Draft tonnage reports with the SWMB as follows:

**2010-2012 TONNAGE SUMMARY  
WINNEBAGO COUNTY SOLID WASTE CUSTOMERS ONLY (DRAFT)**

<b>Waste Type</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Residential/Municipal	56,510	47,535	50,819
Commercial	16,823	18,336	36,811
Industrial	34,506	33,257	28,923
Ash	442	242	199
Construction/Demolition	43,667	44,969	45,742
Yard Waste/All Wood	7,030	7,169	5,653
Contaminated Soil	184	37	12,870
Cover Material	11,789	22,526	16,926
Waste Water Treatment Plant Sludge	2,033	3,997	6,966
Foundry Sand/Slag	434	11,727	16,403
Papermill Sludge (Co-Disposal Site)	3,026	1,244	640
Papermill Sludge (Sludge Site)	3,263	5,134	15,005
<b>Total</b>	<b>179,707</b>	<b>196,174</b>	<b>236,956</b>

**2010-2012 WINNEBAGO COUNTY LANDFILL – DISPOSAL TONNAGE COMPARISON (DRAFT)**

<b>County</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Brown</b>	221,147	193,494	54,334
<b>Outagamie</b>	165,654	148,297	14,685
<b>Winnebago</b>	176,696	191,034	116,914
<b>Total</b>	<b>563,497</b>	<b>532,824</b>	<b>185,933</b>

**2010-2012 OUTAGAMIE COUNTY LANDFILL – DISPOSAL TONNAGE COMPARISON (DRAFT)**

<b>County</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Brown</b>	1,051	1,134	185,948
<b>Outagamie</b>	39,786	67,987	195,357
<b>Winnebago Transfer MSW</b>	-	-	57,725
<b>Winnebago Direct Hauls</b>	-	-	47,310
<b>Total</b>	<b>40,837</b>	<b>69,121</b>	<b>486,340</b>

**2010-2012 TOTAL TRI-COUNTY REGIONAL PROGRAM TONNAGE COMPARISON (DRAFT)**

<b>County</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Brown</b>	222,198	194,628	240,282
<b>Outagamie</b>	205,440	216,284	210,042
<b>Winnebago</b>	176,696	191,034	221,949
<b>Total</b>	<b>604,334</b>	<b>601,945</b>	<b>672,273</b>

**Notes:**

<b><u>Account</u></b>	<b><u>2012 Tons</u></b>
Brown County Special Waste Soils	40,467
Brown County FRF Sludge	49,875
Winnebago County Special Waste Soils	12,533

J. Rabe stated that the Tri-County Regional Program continues to exceed the planned tonnage of 546,000 tons/year.

Discussion ensued amongst the SWMB.

K. Pernsteiner summarized the 2012 hauling costs for the SWMB as follows: A total of 2,964 loads of trash (July-December) and 949 loads of recycling (January-December) were shipped by Kreilkamp Trucking (Kreilkamp) to Outagamie County (rate of \$170/load) for a cost of \$503,880 and \$161,330, respectively. The hauling rate is adjusted monthly by a fuel surcharge/credit based a formula included in the Agreement (based on fuel cost of \$3.75/gallon). Fuel surcharges added \$8,924 to the trash hauling expense and \$1,840 to the recycling hauling expense, for 2012 totals of \$512,804 and \$163,170, respectively.

J. Rabe reminded the SWMB that the trash hauling is a SWMB expense, whereas the recycling hauling is shared as a Tri-County Regional Program expense.

J. Rabe stated that the 2013 rate has increased to \$175/load (plus the fuel surcharge/credit) in accordance with the Agreement, and years 2014-2016 allow for an annual CPI adjustment in accordance with the Agreement.

J. Rabe explained how using Kreilkamp as the SWMB's contracted Hauler is working well to meet our varied seasonal tonnage needs. When tonnages are high in the summer months and we need 7-8 trucks to handle the trash, Kreilkamp has the equipment and manpower to meet our needs. Conversely, when tonnages drop off during the winter months and we need only 3-4 trucks to handle our trash, Kreilkamp is easily able to adjust accordingly. Using a contracted Hauler provides this flexibility versus the SWMB owning/operating its own trucks/trailers.

Discussion ensued amongst the SWMB.

P. O'Brien indicated that he would still like an analysis conducted of the SWMB owning/operating its own trucks/trailers compared to contracting out the Hauling.

8. Discussion/Action – 2013 Project Carryovers: J. Rabe provided the SWMB with a summary of 2013 project carryovers as follows:

Type 1

Sunnyview Closure	Final Cover Retainage (Mueller-from 2011)	\$14,400
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Type 2

Sludge Site	Leachate Tank Abandonment (from 2011)	\$100,000
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Co-Disposal Site	Leachate Tank Abandonment (from 2011)	\$100,000
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Discussion ensued amongst the SWMB.

Motion to approve 2013 project carryovers as presented made by M. Easker, seconded by G. Konrad. Motion carried 6-0.

9. Discussion – Landfill Gas Projects Update: J. Rabe updated the SWMB on the landfill gas operations as follows:

Landfill Gas Operations – January 15, 2013		
Engine #1	Down for decoking all cylinders	Expect completion this week
Engine #2	Running at 960 KW	
Engine #3	Running at 950 KW	
Engine #4	Running at 1060 KW	
Engine #5	Down; bad ignition module	Waiting on parts
Sunnyview Compressor	Compressor A running at 60%. Pipeline outflow 1002 scfm.	
Sunnyview Flare	Flare – On; Flow – 1412 scfm;	

Sunnyview Flare Cont'	Vacuum = -46'' wc; Blower 103 + 105 on at 86%	
Sunnyview Gas Field	CH4 = 53.7% O2 = 1.5%	
Snell Rd Flare	Flare – On; Flow – 111 scfm; Vacuum = -11.2'' wc	
Snell Rd Gas Field	CH4 = 46.4% O2 = 2.2%	

P. O'Brien asked if we are still evaluating the installation of a siloxane removal system for the landfill gas. J. Rabe stated that this topic will be discussed with the SWMB at a future meeting.

J. Rabe updated the SWMB on WPS revenues, site odors and projects as follows:

- Wisconsin Public Service/Direct Use Landfill Gas revenues = \$265,253 for December 2012; ended the year with \$3.2M, exceeding budget of \$2.8M.
- Landfill Gas Odors – periodic odors continue to be noted; proactively working to minimize odors but likely won't be accomplished until final cover is completed in 2014.
- 4<sup>th</sup> Quarter Surface Emission Monitoring – Completed 30 day follow-up on January 11, 2013; begin 1<sup>st</sup> Quarter Surface Emission Monitoring in February/March 2013.
- Landfill Gas Projects – All closeout activities with Mechanical Technologies, August Winter and Terra Engineering & Construction will be completed by January 31, 2013. J. Rabe is working to compile Engine 4/5 waste heat recovery cost data to discuss billing with Facilities Director.
- Presumptive Best Available Control Technologies (p-BACT) Update:
  - Work effort started in early 2012 – consolidated effort by public and private industry group, comprised of eight parties.
  - 1<sup>st</sup> draft of p-BACT submitted to WDNR on June 5, 2012 (resulted in the WDNR requesting additional information; subsequent meeting on July 19, 2012 to review with WDNR)
  - 2<sup>nd</sup> Draft of p-BACT submitted to WDNR on October 22, 2012 (resulted in the WDNR requesting additional information in early November 2012)
  - 3<sup>rd</sup> draft of p-BACT submitted to WDNR in early November 2012 (resulted in November 15, 2012 letter indicating that the WDNR would hold off issuing a response until November 30, 2012; resulted in subsequent December 5, 2012 WDNR request for additional information)
  - Group is currently working on a final response letter to WDNR – to hopefully bring this p-BACT to a conclusion (hoping to eliminate additional control technology purchases and require only increased preventive maintenance on the engine/generators)

Discussion ensued amongst the SWMB.



10. Future Agenda Items: None.
11. Set Next Meeting Date: The next meeting date will be February 6, 2013 at 9:00 a.m.
12. Adjournment: Motion to adjourn made by P. Brennand and seconded by G. Konrad. Motion carried 6-0. Meeting was adjourned at 10:46 a.m.

Respectfully Submitted,

Jennifer Semrau  
Recycling Specialist

**Approved by SWMB – February 6, 2013**