



**ZWAC Construction and Demolition (C&D) Ordinance Reform Committee
REGULAR MEETING MINUTES**

April 23, 2021

The Construction and Demolition Ordinance Reform Committee of the Zero Waste Advisory Commission (ZWAC) convened in a regular meeting on April 23, 2021 remotely via WebEx.

Ian Steyaert called the Board Meeting to order at 1:03 p.m.

Board Members in Attendance:

Ian Steyaert (chair), Cathy Gattuso, and Amanda Masino

Staff in Attendance:

Elizabeth Nelson, Selene Castillo, Gena McKinley, Jason McCombs,

1. CITIZEN COMMUNICATION: GENERAL

Four (4) citizens spoke during the opportunity for citizen communication.

Ross Biel with Recon Services and 3B Recycling in reference to the Qualified Processor section of the C&D Ordinance, addressed that there is not a City Registered Evaluator that verifies third party processor diversion rates alongside RCI (Recycling Certification Institute). Stakeholder Biel also mentioned that processors are not required to register with the City and pointed out that there are issues with processors reporting and reporting accurately, identifying material end markets, and increased pressure to recycle materials that are difficult to divert. Stakeholder Biel pointed out a conflict with RCI allowing fuel burning and the City not allowing burning as a diversion option. Stakeholder Biel spoke of the benefits of RCI certification and the detailed reporting requirements.

Walter Biel, owner of Recon Services, and 3B Recycling, discussed the process of becoming RCI Certified, the challenges of recycling construction debris and finding end markets, and the process for becoming a recycler through applying with TCEQ. Stakeholder Biel stated that 70% of the material they receive is wood and burning as biofuel is the only option for this material, which LEED and EPA count as diversion. Stakeholder Biel also spoke about contamination issues at sites collecting comingled recycling that must be landfilled because of that contamination.

William Turley, founder and Executive Director of the Construction and Demolition Recycling Association (CDRA) shared facts about C&D materials. Stakeholder Turley mentioned that burning wood biomass is recognized as diversion from the landfill by both EPA and LEED and requested that the City recognize that when certifying facilities since Zero Waste tenets allow for 10% waste to energy. Stakeholder Turley stated that RCI certification is the only program for recycling facilities that has been developed to an ISO level and is recognized by USGBC as the only legitimate program, and that requiring all facilities to be certified would reduce fraudulent reporting and increase reporting accuracy.

Jeffrey Jacoby, with Texas Campaign for the Environment, spoke about low reporting from C&D processors, underenforcement of the C&D ordinance, and increasing participation and education for

processors. Stakeholder Jacoby spoke of the importance of understanding the destination of materials and concerns about environmental impacts of burning materials. RCI Certification and TCEQ allow for burning and utilizing the materials as alternative daily cover at disposal facilities. Stakeholder Jacoby spoke of impacts to adjacent communities and negative climate impacts. Stakeholder Jacoby stated that burning of biomass as diversion does not align with the values of the Commission, the City, and is not the environmentally sensible choice, and that the material should be diverted correctly and responsibly to avoid environmental issues in the future.

2. APPROVAL OF MINUTES

On a motion by Gattuso and second by Steyaert, the Committee (2-0) approved the minutes for their February 28, 2017 meeting. Board Member Masino was absent.

3. NEW BUSINESS

a. Staff briefing on committee bylaws

Selene Castillo, ARR Planner Principal, briefed the committee on bylaws.

b. Staff briefing on existing Construction and Demolition Recycling Ordinance requirements

Elizabeth Nelson, ARR Planner Senior, presented information on Construction and Demolition recycling in Austin, including history of C&D recycling in Austin, C&D materials and how they are handled, Austin's C&D recycling ordinance, processor and disposal facilities in Austin, and an overview of the 2020 Economic Impact Report.

Commissioner Gattuso asked for clarification about the Compliance Team and consequences for not submitting reports. Nelson replied that the ARR Compliance Team will help with enforcement for the Universal Recycling Ordinance (URO) with the intent that they will also cover the C&D Ordinance in the future. ARR Program Manager Jason McCombs also replied that staff is working on URO enforcement and that there is a penalty for not reporting for the C&D Ordinance.

Commissioner Gattuso asked about the frequency of contamination in C&D recycling. Nelson replied that there are issues with contamination of C&D waste, where household trash being mixed with C&D waste can cause contamination issues.

Commissioner Steyaert commented about the need for better reporting and answering contamination questions and discovering what is happening when contractors are not reporting and how to incentivize diversion and reporting.

4. FUTURE AGENDA ITEMS

- a. Commissioner Steyaert requested recommendations to address the speaker comments and for key decision points that should be considered when recommending changes to the C&D Ordinance.
- b. Commissioner Steyaert requested that ARR staff research other cities' C&D Recycling processes as case studies.
- c. Commissioner Gattuso requested for information about RCI Certification allowing biomass burning and how it differs from the City's definition of diversion as stated in the Austin Resource Recovery Master Plan.
- d. Commissioner Gattuso requested more information about material end markets.
- e. Commissioner Gattuso requested more information on C&D Ordinance education.

5. ADJOURN

Commissioner Gattuso moved to adjourn and Chair Steyaert adjourned the meeting at 2:05 p.m. without objection.