

00:00:00.000 --> 00:00:00.880

Hottinger, Janis [DEP]

Please read this slide.

00:00:05.850 --> 00:00:12.430

Hottinger, Janis [DEP]

If we mention or show any pictures or trade names of equipment, companies or services, they are not endorsements by DEP.

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Hottinger, Janis [DEP]

The information in this presentation is meant for discussions about various and existing potential regulatory mechanisms. No final decision regarding the information in this meeting is expressed or implied by DEP. Next slide, please.

00:00:31.360 --> 00:00:47.150

Hottinger, Janis [DEP]

Good afternoon and welcome back. My name is Janis Hottinger, supervisor of the E waste unit. Thank you for attending this meeting today, where we will discuss the portion of the electronic waste rule amendments that pertain specifically to group plan administrators.

00:00:50.780 --> 00:01:00.630

Hottinger, Janis [DEP]

The following are members of the rulemaking team. Assistant commissioners office site remediation and waste management, Judy Andrejko, esquire, regulatory officer.

00:01:01.840 --> 00:01:09.030

Hottinger, Janis [DEP]

Bureau of recycling and hazardous waste management, Daniel Clark, PhD environmental specialist and rule manager.

00:01:09.920 --> 00:01:12.700

Hottinger, Janis [DEP]

Janis Hottinger, supervisor and facilitator.

00:01:13.720 --> 00:01:16.360

Hottinger, Janis [DEP]

Scott Compton, environmental specialist.

00:01:17.720 --> 00:01:20.020

Hottinger, Janis [DEP]

John Dickinson, rule assistant.

00:01:21.470 --> 00:01:24.660

Hottinger, Janis [DEP]

Anna Dougherty, environmental specialist.

00:01:25.400 --> 00:01:30.860

Hottinger, Janis [DEP]

And in the Bureau of hazardous waste compliance and enforcement we have Nick Baier environmental specialist.

00:01:32.520 --> 00:01:33.440

Hottinger, Janis [DEP]

Next slide please.

00:01:37.440 --> 00:01:43.690

Hottinger, Janis [DEP]

So that everyone present has an opportunity to provide input and comments, I'm going to go over the rule meeting guidelines.

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Hottinger, Janis [DEP]

Please enter your first and last name and the organization you represent in the chat box in lieu of a sign in sheet.

00:01:51.110 --> 00:02:05.640

Hottinger, Janis [DEP]

Please ensure that your microphone is muted and your camera is off during the presentation and when not speaking. Please use the chat box if you are experiencing technical difficulties during the presentation such as you cannot see or hear someone speaking.

00:02:06.400 --> 00:02:15.490

Hottinger, Janis [DEP]

Please type your questions into the chat box or use the hand symbol to ask a question. For those unfamiliar with this feature hover your cursor over the

00:02:16.070 --> 00:02:18.550

Hottinger, Janis [DEP]

hand symbol and click it to raise your hand.

00:02:19.430 --> 00:02:24.000

Hottinger, Janis [DEP]

When called on to speak, please unmute your microphone and consider turning on your camera.

00:02:24.790 --> 00:02:29.010

Hottinger, Janis [DEP]

When you are finished speaking, please re mute yourself and turn off your camera.

00:02:29.880 --> 00:02:33.890

Hottinger, Janis [DEP]

Please speak slowly and clearly and state your name and affiliation.

00:02:34.790 --> 00:02:37.810

Hottinger, Janis [DEP]

I'm now going to turn the meeting over to Dan Clark, thank you.

00:02:40.980 --> 00:02:50.260

Clark, Daniel [DEP]

Hello everybody and thank you. Janis and, yes, I see a few people have added their name and affiliation in the chat. But if everybody could make sure to please do that

00:02:50.470 --> 00:02:58.690

Clark, Daniel [DEP]

for record keeping that would be great. So again today we're talking about a proposed amendments to the e waste rules.

00:02:59.210 --> 00:03:30.510

Clark, Daniel [DEP]

And you know, we're going to start with the functions of a group plan administrator under the Electronic Waste Management Act. The DEP may allow a group plan administrator to fulfill a manufacturer's responsibilities on its behalf under Section 10 of the Electronic Waste Management Act, including registration, payment of registration, fees, and submission of plans. Under Section 10 of the Electronic Waste Management Act each manufacturer to whom the Department provides a market share that is greater than 0.01% of the total

00:03:30.910 --> 00:04:02.060

Clark, Daniel [DEP]

is required to submit a plan to the Department for the collection, transportation, and recycling of covered electronic devices. A group of manufacturers jointly submitting a plan pursuant to section 10 of the Electronic Waste Management Act shall collect, transport and recycle the sum of the obligations of each participating manufacturer and if a GPA fails to fulfill manufacturers responsibilities on its behalf the Department may take enforcement action against the manufacturer.

00:04:02.680 --> 00:04:03.790

Clark, Daniel [DEP]

Next slide please.

00:04:06.640 --> 00:04:14.820

Clark, Daniel [DEP]

So these are the concerns that DEP has regarding Group Plan Administrators as the law has been recently amended.

00:04:15.440 --> 00:04:46.020

Clark, Daniel [DEP]

Weight becomes difficult to track when it moves through multiple entities, particularly when it is bought and sold in the marketplace by an authorized recycler acting as a GPA and weight that cannot be accurately verified or tracked cannot be credited toward manufacturers collection obligation, which the Department is terming a manufacturer's "actual market share in weight". A manufacturer that fails to collect its actual market share in weight may be subject to penalties and a non compliance fee and the DEP's difficulty in accurately

00:04:46.170 --> 00:04:57.440

Clark, Daniel [DEP]

verifying and tracking weight also frustrates the goal of the Electronic Waste Management Act, which is the efficient collection transportation and recycling of covered electronic devices by manufacturers.

00:04:58.220 --> 00:05:29.200

Clark, Daniel [DEP]

The provisions outlined in the next slide will enable DEP to better track weight bought and sold by a GPA including those that are also authorized recyclers, which would benefit the DEP, manufacturers and GPAs. But the DEP is open to alternatives that would enable DEP to track and verify weight to the benefit of all involved. And so again. You know this meeting today sort of has grown out of some of the concerns and comments expressed at the October general stakeholder meeting that everybody was invited to.

00:05:30.300 --> 00:05:55.800

Clark, Daniel [DEP]

And some of the concerns and questions received in that venue you know, we felt and I think a number of you who are here today, who were here then really expressed that you'd like a follow up meeting for group plan administrators talking about some of the things that were contained in that meeting and you know, so. This is what we're getting at here and again, I'm going to remind everybody and I'll remind everybody again,

00:05:56.420 --> 00:06:05.140

Clark, Daniel [DEP]

you know, none of this is written in stone yet, and even

00:06:06.900 --> 00:06:14.110

Clark, Daniel [DEP]

if all of this makes it in this exact form to the rule proposal that there is still the public comment period after that.

00:06:15.560 --> 00:06:19.730

Clark, Daniel [DEP]

so it's you know, none of this is finalized or anything like that.

00:06:20.830 --> 00:06:22.300

Clark, Daniel [DEP]

next slide, please.

00:06:23.980 --> 00:06:53.950

Clark, Daniel [DEP]

So the GPA responsibilities. A GPA will be required to comply with the requirements of the rules for each manufacturer. A GPA will be required to collect weight solely for the benefit of its group members. A GPA will be required to collect each of its participating manufacturers estimated market share in weight for a program year before selling any weight until after it has collected each of its participating manufacturers estimated market share in weight GPA may then sell weight to their manufacturers GPA is an authorized recyclers.

00:06:54.500 --> 00:06:55.930

Clark, Daniel [DEP]

Tyrone next slide, please.

00:06:58.310 --> 00:07:15.010

Clark, Daniel [DEP]

And then the rules that they would apply to credit trading would be. You know GPA may transfer apply credits if the GPAs contract with its members authorizes it to do so and the GPA collects transports and recycles CEDs in excess of the combined actual market shares in weight of its members.

00:07:15.620 --> 00:07:32.070

Clark, Daniel [DEP]

And if the GPA meets the above criteria. The GPA may transfer credits to one or more of its members with a shortfall apply credits to satisfy up to 25% of the members. Mark estimated market share in weight for the following program here or both if sufficient credits are available.

00:07:33.630 --> 00:07:34.580

Clark, Daniel [DEP]

Next slide please.

00:07:35.800 --> 00:07:46.270

Clark, Daniel [DEP]

So you know that was really all of the slides we have prepared and in a second I'm going to open it up to comments and questions and remarks.

00:07:48.520 --> 00:07:57.300

Clark, Daniel [DEP]

I know this has been a brief presentation. But in the event anybody needs to get off before we're done, summaries of this

00:07:58.840 --> 00:08:32.720

Clark, Daniel [DEP]

and relevant information will be made available at the DEP workgroups site, which is the same place that the October stakeholder meeting was posted following proposals of the rule changes. Formal comments on the rules can be made by anyone during the announced comment period and the Department will publish the proposed electronic waste rule in New Jersey Register and accept public comment on the rule for a period of 60 days. During that time, all interested parties may submit comments to the Department and all comments on the rule proposal should be submitted as directed in the proposal.

00:08:33.370 --> 00:08:38.530

Clark, Daniel [DEP]

And if you'd like to provide comments about this meeting separate,

00:08:39.670 --> 00:08:40.430

Clark, Daniel [DEP]

You know so.

00:08:42.540 --> 00:08:48.670

Clark, Daniel [DEP]

Yeah, that that is the venue through which you should express comments about the rule. But if you have comments more about the meeting.

00:08:49.870 --> 00:08:57.410

Clark, Daniel [DEP]

Please send them to the eCycle Mailbox [ecycle@DEP.nj.gov](mailto:ecycle@DEP.nj.gov), which most or all of you should be familiar with

00:08:58.330 --> 00:09:09.580

Clark, Daniel [DEP]

Because that's where the semi annual reports gets submitted. So in a second here I'm going to open it up to comments or questions. I see that we have a couple in the chat already.

00:09:10.920 --> 00:09:26.620

Clark, Daniel [DEP]

So I'm going to remind everybody one for those of you who haven't yet, please put your name and affiliation into the chat. You know, I think we've got like 6 and there's certainly more than 6 people on so everybody. Please go ahead and take a second to do that.

00:09:27.280 --> 00:09:54.090

Clark, Daniel [DEP]

And then you can ask questions, either in the chat or by raising your hand and that's up at the top if you see you know where there's a little speech bubble for the chat next to that there's like a hand and a smiley. You click on that and right below it, it'll say raise hand. So you can do either of those so I guess, yeah, if we could advance to the next slide.

00:09:58.010 --> 00:10:11.920

Clark, Daniel [DEP]

And you know again what one of the things is that you know this is the solution we are proposing and would you know certainly be open to other ideas to solve the problems in terms of tracking weight?

00:10:14.650 --> 00:10:28.310

Clark, Daniel [DEP]

OK so I see the first question is for those who are unable to post into the chat, can we go around the call to know who's on the call with us and that's from Dave Hirschler at ERI and I mean, I can

00:10:29.420 --> 00:10:39.530

Clark, Daniel [DEP]

read everybody who's on here.

00:10:40.420 --> 00:10:44.190

Clark, Daniel [DEP]

Actually, I guess yes if uh because then we won't know who.

00:10:44.920 --> 00:10:48.930

Clark, Daniel [DEP]

Uh where everybody is affiliated with so I guess it would be better.

00:10:50.340 --> 00:10:51.390

Clark, Daniel [DEP]

Yes, if we could.

00:10:52.250 --> 00:10:54.130

Clark, Daniel [DEP]

Take a moment to.

00:10:55.190 --> 00:10:57.550

Clark, Daniel [DEP]

Introduce everybody so.

00:10:59.020 --> 00:11:04.400

Clark, Daniel [DEP]

Yes, so whoever is 916-240-2532.

00:11:04.600 --> 00:11:07.150

Clark, Daniel [DEP]

if you could introduce yourself.

00:11:13.290 --> 00:11:18.340

Clark, Daniel [DEP]

No no takers OK or 916-240-2582.

00:11:26.100 --> 00:11:27.870

Clark, Daniel [DEP]

OK also no takers.

00:11:28.310 --> 00:11:28.790

MacGregor, Janine [DEP]

Ah.

00:11:29.880 --> 00:11:45.300

MacGregor, Janine [DEP]

Hey Dan can I suggest that you just this is Janine MacGregor? Can I suggest that I I've tried to do this with this many people. It's going to be tough can we just suggest when people speak that they introduce themselves and where they're from. If they're not speaking, I don't know that it matters where people are from.

00:11:44.560 --> 00:11:46.160

Clark, Daniel [DEP]

OK, yes? Absolutely.

00:11:45.370 --> 00:11:48.880

MacGregor, Janine [DEP]

Interesting yeah, I just think it'll be too hard to implement this.

00:11:50.080 --> 00:11:57.370

Clark, Daniel [DEP]

Yes, with that, so you know if anybody has questions please. You know put them in the chat or

00:11:58.390 --> 00:12:01.600

Clark, Daniel [DEP]

Raise your hand and we'll call on you.

00:12:04.170 --> 00:12:06.200

Clark, Daniel [DEP]

Any questions or comments at all.

00:12:14.680 --> 00:12:19.330

Clark, Daniel [DEP]

So I see we have a hand from Dave Hirschler, so yeah, Dave go ahead.

00:12:20.410 --> 00:12:20.950

David Hirschler

Thanks, Dan.

00:12:21.010 --> 00:12:51.610

David Hirschler

Uh so it looks like on your notes about the concern, the issue is tracking movement of weight between groups and or recyclers, but I guess my question is, part of the issue was that we can't transfer group to group in the current system. So instead of putting restrictions on when a group can transfer additional weight has there been any discussion on

00:12:51.930 --> 00:12:56.980

David Hirschler

allowing groups to do a group to group transfer. It feels like that would

00:12:57.660 --> 00:13:00.680

David Hirschler

alleviate a lot of the concerns on tracking.

00:13:02.480 --> 00:13:09.270

Clark, Daniel [DEP]

Yeah, I mean, you know, we haven't really considered that and I think that's actually.

00:13:09.860 --> 00:13:14.340

Clark, Daniel [DEP]

Yeah, worth considering, I guess to that end, though



00:13:15.090 --> 00:13:18.110

Clark, Daniel [DEP]

You know there are 2 things that immediately come to my mind with that.

00:13:20.010 --> 00:13:23.670

Clark, Daniel [DEP]

And the first is you know

00:13:24.390 --> 00:13:46.680

Clark, Daniel [DEP]

because what we're doing with the semi annual reports, especially you know, many of you I'm sure have seen the manufacturer side ones and or the recycler side ones, and really you know, so we also have the collection site. ones through so we're able to see weight going from a collection site to a recycler to a manufacturer.

00:13:41.180 --> 00:13:41.390

David Hirschler

OK.

00:13:47.500 --> 00:13:51.630

Clark, Daniel [DEP]

So part of the issue becomes if groups

00:13:52.360 --> 00:14:03.500

Clark, Daniel [DEP]

Are dealing in weight is that something that then in return, we would essentially be expecting group plan administrators to be willing to file reports for that weight.

00:14:05.030 --> 00:14:08.270

Clark, Daniel [DEP]

You know, so we can track the path of that.

00:14:08.730 --> 00:14:09.310

Clark, Daniel [DEP]

Uhm.

00:14:10.290 --> 00:14:13.610

Clark, Daniel [DEP]

is that something that

00:14:14.520 --> 00:14:25.320

Clark, Daniel [DEP]

You know you'd be open to that, if if that was going to be the way this was going to change that, then you know you would need to be as a group reporting.

00:14:26.980 --> 00:14:29.220

Clark, Daniel [DEP]

Both the in 's and outs of that weight.

00:14:31.680 --> 00:14:54.190

David Hirschler

I mean, speaking for myself. I don't have an issue with that. I think that alleviates a lot of the difficulties in tracking. I can let others join in but it seems as though some of the challenges you guys may have is that a recycler knows that they're selling to a group the group then sells to a manufacturer or another group.

00:14:54.680 --> 00:15:02.420

David Hirschler

And so it's hard for you to see who that weight went to so if you're allowing groups to move weight.

00:15:04.850 --> 00:15:07.510

David Hirschler

That solves some of those concerns.

00:15:09.740 --> 00:15:15.180

David Hirschler

But I'll let some of the other group providers answer whether or not they have issues and submitting it group report.

00:15:18.650 --> 00:15:23.450

Clark, Daniel [DEP]

Yeah, if anybody you know would like to comment on either part of that please.

00:15:25.940 --> 00:15:28.710

Clark, Daniel [DEP]

I see Amanda Tischer-Buros from Dynamic with a hand.

00:15:30.160 --> 00:15:36.550

Amanda Tischer-Buros

Hi Dan This is Amanda from Dynamic, yeah, I just wanted to put my agreements out there with Dave.

00:15:37.540 --> 00:16:02.000

Amanda Tischer-Buros

I think we would much prefer to do some extra reporting rather than have the way that we can move pounds restricted. So I think we don't see any issue with providing some group plan extra reports to make that tracking more visible or easier for the DEP to see that come through the way that we're managing that weight and I think I just wanted to put a plug out there too.

00:16:02.060 --> 00:16:32.160

Amanda Tischer-Buros

Uhm we obviously deal with this type of weight movement and tracking and a lot of the other states that we work in and obviously each of the different states has different types of reports or methodology for tracking but it's something to that, if you are interested in maybe looking at how some of the other states manage and track those pounds through the systems for visibility to that might be a good way to kind of look at some other tools from different states to help provide.

00:16:32.220 --> 00:16:33.530

Amanda Tischer-Buros

Visibility through the system.

00:16:34.610 --> 00:16:36.500

Clark, Daniel [DEP]

Yeah, I mean, I think.

00:16:37.100 --> 00:16:49.960

Clark, Daniel [DEP]

You know in the event that we were going to pursue something like that, that would certainly be something we'd be interested in seeing on that topic, though just you know off the top of your head is that

00:16:50.800 --> 00:16:52.900

Clark, Daniel [DEP]

Are those systems I mean

00:16:54.220 --> 00:16:56.760

Clark, Daniel [DEP]

It would be

00:16:58.580 --> 00:17:05.110

Clark, Daniel [DEP]

Probably not feasible in the near term to get any type of you know new software for that, so in terms of the

00:17:05.160 --> 00:17:09.990

Clark, Daniel [DEP]

the reports are those more you know sort of similar to the

00:17:10.850 --> 00:17:15.570

Clark, Daniel [DEP]

Current reports we have or are they you know more sort of custom software.

00:17:16.050 --> 00:17:45.790

Amanda Tischer-Buros

Sure, I think uh we do work in states that utilize software as well as do some manual reporting like the Excel documents that we see and I think Dave put in the chat that you know, Minnesota and Wisconsin both have what they call broker reports to actually provide the visibility of that. South Carolina and just revamped their reporting structure and that is a manual one through Excel spreadsheet as well. And they have a new process for kind of providing that visibility as well, and that could be integrated from just on an Excel template.

00:17:45.840 --> 00:17:46.170

Amanda Tischer-Buros

As well.

00:17:47.810 --> 00:18:00.750

Clark, Daniel [DEP]

OK, thank you for that information, I mean, yeah, I think that would certainly be again. If that was something DEP were going to pursue something we would have to take a look at what others have done in that regard.

00:18:02.480 --> 00:18:09.290

Clark, Daniel [DEP]

Does anyone else have comments on this topic in particular looks like maybe Andriana?

00:18:09.680 --> 00:18:15.040

Andriana Kontovrakis

Yeah, I just did Andriana from RLG I I agree with both Amanda and Dave that um.

00:18:15.830 --> 00:18:22.790

Andriana Kontovrakis

Like we're all for being transparent with you about what we're doing, and if it's like Dave said. This is going to preclude like any type of.

00:18:22.850 --> 00:18:27.390

Andriana Kontovrakis

Uhm restraints, they call but I think there was a comment in there saying like you can't.

00:18:27.950 --> 00:18:38.840

Andriana Kontovrakis

Uhm trade or sell until you've met your customers goals like if that that's taken out in return for this transparency. I'm for that so.

00:18:39.620 --> 00:18:45.260

Andriana Kontovrakis

Yeah, and extra like some type of level of extra reporting is is fine if this is going to allow us to do that.

00:18:47.990 --> 00:18:48.560

Clark, Daniel [DEP]

Thank you.

00:18:51.140 --> 00:18:59.960

Clark, Daniel [DEP]

Anyone else comments on this particular topic before we move on to something else. It looks like there's a hand from Patrick Santelli.

00:19:00.390 --> 00:19:16.560

Patrick Santelli

Yep, and thanks for hosting. Yep, I will echo what everybody else, said. You know it's non recycler. We're still OK with it. I can't believe I'm advocating for additional reporting. But you know, I think that would be having the these GPAs report.

00:19:16.920 --> 00:19:18.850

Patrick Santelli

Yeah, and then additional support helps you.

00:19:18.900 --> 00:19:19.100

Patrick Santelli

So.

00:19:20.190 --> 00:19:25.380

Patrick Santelli

Track where some of the weight's coming from and then where it's going so you know, we would we would advocate for that as well.

00:19:26.930 --> 00:19:29.840

Clark, Daniel [DEP]

OK and and again, too I mean, you know this is.

00:19:30.650 --> 00:19:41.050

Clark, Daniel [DEP]

A lot of this is also you know, not only I don't want that to make this sound like oh this is you know just to make our lives easier, but also in the in the spirit of fairness that you know really if we can't.

00:19:42.040 --> 00:19:45.840

Clark, Daniel [DEP]

Verify weight and somebody is somehow getting.

00:19:47.150 --> 00:19:56.130

Clark, Daniel [DEP]

Falsified weight into the system that that hurts everybody you know, I mean, we are very much. You know want to make sure that there is a level and fair playing field and that only weight

00:19:56.750 --> 00:20:00.610

Clark, Daniel [DEP]

That has been adequately vetted counts.

00:20:01.930 --> 00:20:19.370

Clark, Daniel [DEP]

And you know, so then it sort of comes down to, if if we can't do that that the option. You know becomes not to count that way. And if it's good. You know, I feel like that. Would you know heard everybody if we've you know if it's good weight but there is no visibility of the source you know that that does become a problem.

00:20:20.230 --> 00:20:20.660

Clark, Daniel [DEP]

Ah.

00:20:21.360 --> 00:20:28.060

Clark, Daniel [DEP]

So I think I see 2 hands from David Hirschler and then Diana Mathis after that, so Dave.

00:20:30.470 --> 00:21:02.300

David Hirschler

I was gonna let Diana but go first since I've already talked to, but I was just gonna say you already have the formatting needed. I think in your AR report. You have the bought and sold tabs and really. That's all that would you would need from the group, so recycler would be reporting that they sold to a group and then the group would say I bought from these recyclers and sold to these manufacturers or these groups and so you I think you guys already have all that formatting in place and I don't think you'd have to reinvent the wheel, it would just be.

00:21:02.760 --> 00:21:05.450

David Hirschler

Uhm those same 2 tabs elsewhere.

00:21:06.150 --> 00:21:11.170

Clark, Daniel [DEP]

Yeah, and I'm actually going to real quick just I'm putting in the chat here. If anybody wants to take a look at those.

00:21:11.820 --> 00:21:18.350

Clark, Daniel [DEP]

Most of you are probably familiar with the AR report so authorized recycler reports but if you aren't.

00:21:18.980 --> 00:21:31.560

Clark, Daniel [DEP]

They can be found here and that's tabs 4A and 4B I believe, and I mean, I think we might need a little bit more than that, but I could see that being part of a template. Thank you Dave.

00:21:32.260 --> 00:21:34.950

Clark, Daniel [DEP]

Uh and then Diana you have your hand up.

00:21:35.750 --> 00:21:47.710

Diana Mathis

Yes, so it just following up on what Andrianna said to come to sort of prevent that that regulation and that prevents us from

00:21:48.300 --> 00:21:54.160

Diana Mathis

Transferring weight until we've fulfilled our OEM 's obligation.

00:21:54.460 --> 00:22:24.710

Diana Mathis

Uh and if we if we aren't able to sell outside of our group plan. Then a potential well, a real problem for the OEM 's is that we would be then front loading all of their cost into the first part of the year, which I think OEMs would be pretty upset about before we could then sell so let's say we collect everything within the first 9 months of the year instead of spreading their costs more.

00:22:24.770 --> 00:22:52.520

Diana Mathis

Evenly across the whole year they would be taking big chunks of cost in their profit loss statements in the first part of the year, which I don't think any of them would really appreciate before we could then start selling so this. I think I mean by allowing us to have this process, where we could report you know what we're selling and prevent and also sell to brokers more evenly or other.

00:22:53.250 --> 00:22:58.310

Diana Mathis

Or group plans more evenly then I think it also keeps the OEM 's happy.

00:22:59.930 --> 00:23:01.700

Clark, Daniel [DEP]

OK and and just and.

00:23:02.390 --> 00:23:06.130

Clark, Daniel [DEP]

Just so I'm clear with what you were saying, You know part of this is that.

00:23:09.230 --> 00:23:12.390

Clark, Daniel [DEP]

Because I've never you know worked for a group plan administrator.

00:23:14.950 --> 00:23:21.590

Clark, Daniel [DEP]

That the I guess costs here customers to the manufacturers that they're they're costs are build on some sort of.

00:23:22.510 --> 00:23:28.350

Clark, Daniel [DEP]

Quarterly monthly cycle and so by disallowing.

00:23:28.410 --> 00:23:29.760

Clark, Daniel [DEP]

Sync up.

00:23:33.550 --> 00:23:41.010

Clark, Daniel [DEP]

The way it currently is that those manufacturers would then be facing higher costs in the first part of the year.

00:23:41.680 --> 00:23:42.480

Clark, Daniel [DEP]

And.

00:23:43.570 --> 00:23:49.670

Clark, Daniel [DEP]

As opposed to being able to spread that out over the whole year that that's sort of the the crux of that part of what you were saying.

00:23:51.190 --> 00:24:09.990

Diana Mathis

Yeah, well like I'm understanding I'm understanding their proposal, which is we have to sell to the OEM 's first before we could sell outside of our group plan. Then they would be front loading all the costs as we got the weight in so we'd have to sell to them first so they get all.

00:23:51.350 --> 00:23:52.060

Clark, Daniel [DEP]

Is that accurate?

00:24:01.080 --> 00:24:01.530

Clark, Daniel [DEP]

Uh-huh.

00:24:11.330 --> 00:24:12.820

Diana Mathis

The first part of the year.

00:24:13.540 --> 00:24:38.780

Diana Mathis

Or until we meet their obligation before we could sell outside the group plan. If we were going to be going over and then that would just have big swings in their P&L statement where they have big costs in the beginning and the end, nothing toward the end and depending on their fiscal year that could just be some big swings for it, you know, depending on where those costs land.

00:24:39.610 --> 00:24:50.410

Diana Mathis

So I used to it from my history and working for an OEM that that's not really something that they would say they would really appreciate they kind of like even costs throughout the year, more so.

00:24:52.110 --> 00:25:01.150

Clark, Daniel [DEP]

OK and not to pry but I mean, you know, so typically, though, as a you know group plan administrator your your billing as the weight comes in.

00:25:01.430 --> 00:25:02.170

Clark, Daniel [DEP]

Uhm.

00:25:03.610 --> 00:25:07.450

Clark, Daniel [DEP]

Is it does that a fair statement sort of you know throughout the year?

00:25:08.310 --> 00:25:15.370

Diana Mathis

Yeah, we've been list. The weight comes in and obviously there's some months that are higher than others, but there is not months where there's just.



00:25:15.980 --> 00:25:25.730

Diana Mathis

We've gotten everything and now we stop. I mean, and even in most laws we have to show that we're collecting throughout the year for them so.

00:25:26.380 --> 00:25:32.510

Diana Mathis

Uh it's not like we bill to July and then we just stop.

00:25:34.900 --> 00:25:45.530

Clark, Daniel [DEP]

OK, no thank you. I mean that's you know the the inner workings of this, or a bit of a mystery to us. So I mean, it's you know always helpful to have a better understanding of that and.

00:25:46.350 --> 00:25:48.580

Clark, Daniel [DEP]

Where those concerns are arising?

00:25:51.290 --> 00:25:53.920

Clark, Daniel [DEP]

OK, so other.

00:25:54.940 --> 00:25:58.690

Clark, Daniel [DEP]

Comments questions I see a hand from Dave.

00:26:00.310 --> 00:26:08.550

David Hirschler

Yeah, I just wanted to echo what Diana said. I mean, I think as group providers. We all kind of manage our networks and we try and work together to.

00:26:10.000 --> 00:26:25.460

David Hirschler

Make sure that the networks remain stable and so it's you know if all of a sudden we can't maintain that because you know. Yeah, like Diana said. We can't bill everything to a manufacturer upfront or or we?

00:26:26.310 --> 00:26:29.360

David Hirschler

Can't sell weight because we have to wait until December.

00:26:29.800 --> 00:26:47.200

David Hirschler

Uhm you know, or something like that it. It definitely could have an impact on the collection network. So we all manage and I think it's the state has had a pretty stable collection network now going on 4 or 5 years. And so I think that's why a lot of us are raising some of these concerns.

00:26:49.320 --> 00:26:50.670

Clark, Daniel [DEP]

OK, no thank you Dave,

00:26:52.620 --> 00:26:53.690

Clark, Daniel [DEP]  
other.

00:26:55.500 --> 00:26:59.780

Clark, Daniel [DEP]  
Questions comments about this about anything else.

00:27:01.690 --> 00:27:02.420

Clark, Daniel [DEP]  
Amanda.

00:27:04.070 --> 00:27:10.330

Amanda Tischer-Buros  
Yeah, I just wanted to make a point I think on the opposite side of that

00:27:11.670 --> 00:27:29.000

Amanda Tischer-Buros  
Uh where Diana talked a lot about front loading the OEM 's are part of the group plans. There are OEMs that run their own plans and utilize either authorized recyclers or mix of authorized recyclers and group plans to fulfill their volume as an independent OEM in the state.

00:27:29.500 --> 00:27:59.580

Amanda Tischer-Buros  
Uhm prohibiting the group plans from selling weight into those independent manufacturer plans creates extraordinary risk for those OEMs in the state because they potentially would. Maybe not be getting billed all year long for any volume until the end of the year when the group plans that support them could would then be able to release those pounds and sometimes a lot of the larger OEMs are the ones that plan to do those

00:27:59.870 --> 00:28:11.850

Amanda Tischer-Buros  
independent plans because they're trying to diversify their networks and make sure that they have risk management practices in place for getting weight for multiple plans in multiple group plans or multiple recyclers.

00:28:12.380 --> 00:28:34.330

Amanda Tischer-Buros  
Uhm particularly because the fine in the state is so high and so by pushing that off those manufacturers actually may have a lot more risk or concern within the state and that could create a lot of additional issues with fulfilling those accounts and ensuring that they have enough volume to meet their obligations in the way that you're proposing some of these changes, I think.

00:28:35.340 --> 00:28:41.330

Clark, Daniel [DEP]  
OK, yeah, and just to be make sure I'm I'm hearing what you're saying and I think I understand it is that?

00:28:41.940 --> 00:28:50.850

Clark, Daniel [DEP]

And and you're right that I mean, I think for the most part, those non group manufacturers do tend to be larger and do tend to.

00:28:51.480 --> 00:28:54.670

Clark, Daniel [DEP]

Uh work with a range of Recyclers and groups.

00:28:54.880 --> 00:28:59.130

Clark, Daniel [DEP]

Uhm and that you know if they couldn't buy any weight

00:29:00.300 --> 00:29:02.530

Clark, Daniel [DEP]

From a group earlier in the year.

00:29:03.230 --> 00:29:11.090

Clark, Daniel [DEP]

That they would face the opposite problem in that they would then instead of having all of their costs.

You know say January 2.

00:29:12.270 --> 00:29:34.440

Clark, Daniel [DEP]

Uh do you know July or September they would then hit September October. November December and then really get walloped then which would probably be. You know, I'm assuming would also be not something they would love either. You know that that everybody sort of wants to spread these costs out is that a fair characterization of what you just said.

00:29:35.050 --> 00:30:06.340

Amanda Tischer-Buros

Yes, a lot of times, yeah, they have to have budgets. The budgets are in place and there's X amount of dollars per quarter per month allocated for these cost models to pay for these programs and particularly the risk would be not only the financial exposure for these OEM 's that have independent plans at the very end of the year. Getting hit with all those costs but also running the risk that they haven't been able to obtain any volume throughout the year so they now are at a higher risk of not fulfilling their obligations because.

00:30:06.640 --> 00:30:13.630

Amanda Tischer-Buros

We they haven't been tracking pounds into their program all year long to ensure that they're on pace to hit their obligation requirements.

00:30:15.260 --> 00:30:17.760

Clark, Daniel [DEP]

OK, no thank you. I I appreciate that.

00:30:19.950 --> 00:30:28.220

Clark, Daniel [DEP]

OK, any other comments questions concerns. You know about anything that was in the presentation today from from anybody.

00:30:28.420 --> 00:30:28.830

Clark, Daniel [DEP]

Uh.

00:30:33.900 --> 00:30:36.030

Clark, Daniel [DEP]

You wanna check the chat I don't.

00:30:37.110 --> 00:30:39.820

Clark, Daniel [DEP]

See anything in here any questions.

00:30:41.210 --> 00:30:45.350

Clark, Daniel [DEP]

And again, you know, we do appreciate all of you, making the time today, you know this is.

00:30:46.090 --> 00:30:52.310

Clark, Daniel [DEP]

Ah, there's there's certainly things we, we don't know which is why we want to hear from you about ideas or?

00:30:53.010 --> 00:30:54.710

Clark, Daniel [DEP]

Solutions you might have.

00:31:00.720 --> 00:31:05.830

Clark, Daniel [DEP]

And I guess I mean, generally if anybody would care to answer this, and you know, no, I'm not

00:31:06.470 --> 00:31:15.740

Clark, Daniel [DEP]

Not trying to to pry here, but if you know if we were to come up with a reporting form similar either to the manufacturer or

00:31:17.500 --> 00:31:19.940

Clark, Daniel [DEP]

Recycler form would it be.

00:31:19.990 --> 00:31:25.180

Clark, Daniel [DEP]

He I guess fairly easy on the group plan administrator and 2.

00:31:25.960 --> 00:31:31.390

Clark, Daniel [DEP]

You know, I guess how much of a lift would it be to you know be able to say you know that.

00:31:31.940 --> 00:31:39.380

Clark, Daniel [DEP]

Uh you know, Sims got, 1,000,000 pounds in from RLGA or MRM sold 1,000,000 pounds to ERI or something like that.

00:31:40.700 --> 00:31:45.770

Clark, Daniel [DEP]

You know if anybody would care to comment on how hard or easy that would be their track.

00:31:46.860 --> 00:32:01.730

Clark, Daniel [DEP]

And you know if that's not something you wanna talk about here. Please feel free to follow up with us. You know if that would be fairly easy or if that would be exceedingly difficult that is, you know something we would care to know in terms of as we think about this as an idea.

00:32:03.400 --> 00:32:03.980

Clark, Daniel [DEP]

Patrick.

00:32:04.860 --> 00:32:24.350

Patrick Santelli

Yep, it's Patrick with MRM Yeah, I mean, we have no problem. You know, we want to increase transparency in your state, and we want you to see where were you know were were purchased in the weight from and who we're selling it, too, so you know, we're I mean, essentially when we're doing our manufacturer reports we're doing this anyway. We're just breaking it down to the manufacturer level, so that's an easy you know easy report for us to generate and get to you guys.

00:32:25.280 --> 00:32:26.230

Clark, Daniel [DEP]

OK, thank you.

00:32:42.360 --> 00:32:46.940

Clark, Daniel [DEP]

Anybody else on on that or anything else that we, we had in the presentation.

00:32:54.790 --> 00:32:56.570

Clark, Daniel [DEP]

Scott it looks like you have your hand up.

00:32:59.920 --> 00:33:18.710

Compton, Scott [DEP]

Yeah. Sorry. Let me unmute mute and all that so I guess I'm trying to follow up with Diana 's comments and I understand not front loading manufacturers costs. I get that completely. So if I'm understanding correctly, you're saying you want to be able to then trade or or move material between groups.

00:33:19.700 --> 00:33:25.630

Compton, Scott [DEP]

But then our concern is always, what happens at the end of the year if the weight doesn't come in?

00:33:26.390 --> 00:33:37.740

Compton, Scott [DEP]

How would you appease this? What would you do to answer us to say OK, I'm at the end of the year and I don't have enough weight to meet my manufacturers obligations? How could you make us feel better about that?

00:33:26.770 --> 00:33:27.040

Clark, Daniel [DEP]

How?

00:33:38.620 --> 00:33:43.440

Clark, Daniel [DEP]

And Scott I mean, if I could so sort out what you're saying is that,

00:33:44.390 --> 00:33:49.430

Clark, Daniel [DEP]

you know if one you know, one of the groups is bringing in weight selling

00:33:50.040 --> 00:33:53.440

Clark, Daniel [DEP]

all year, selling some of that to another group

00:33:54.170 --> 00:34:01.930

Clark, Daniel [DEP]

and then the group that has been selling that weight we get to the end of the year and they're short pounds for their plan. Participants is what you're asking about?

00:34:02.520 --> 00:34:02.990

Compton, Scott [DEP]

Yes.

00:34:10.180 --> 00:34:11.700

Clark, Daniel [DEP]

Diana it looks like you have your hand up.

00:34:12.790 --> 00:34:36.210

Diana Mathis

Yeah, I can go and respond so I think that only your I I mean, I can't speak right. Yeah, I guess for everybody, but the only year where we saw tremendous difficulty was the first year of COVID. So 2020 and beyond that. I mean, we're pretty this program has been around a long time and networks are pretty much established so

00:34:36.900 --> 00:34:49.690

Diana Mathis

uh forecasting is I think most groups would agree that that we're we're able to do pretty good job of forecasting at this point. What's coming in and seasonality.

00:34:50.420 --> 00:34:58.590

Diana Mathis

Uhm so tracking weight is something that everybody is doing across all states and

00:34:58.650 --> 00:35:18.260

Diana Mathis

at some point you do realize like OK. We're tracking over and we do have available weight and before it gets too far into the season. I mean, nobody wants to be stuck holding weight in at Thanksgiving right like I mean that just makes for a terrible holiday season so.

00:35:20.500 --> 00:35:29.940

Diana Mathis

It's kind of like where we can, we can see what's going on pretty early. You know at at least at the halfway mark like? What's really going on?

00:35:29.990 --> 00:35:35.940

Diana Mathis

Line up so it's not to say like on Day One everybody automatically.

00:35:36.700 --> 00:35:46.100

Diana Mathis

Buying and selling maybe some people are but I think most people here would say that they've been in this long enough to know what their networks are doing and.

00:35:46.690 --> 00:35:52.430

Diana Mathis

When you get a few months in if projections are following actuals then.

00:35:53.050 --> 00:36:06.600

Diana Mathis

You can see where you're going to land at the end of the year. So obviously I think everybody would agree. Our first priority is to our own OEMs. We don't want to have problems with that contracts we have with our clients.

00:36:07.250 --> 00:36:08.050

Diana Mathis

Uhm.

00:36:08.700 --> 00:36:24.090

Diana Mathis

So yeah, that is always free and then the projections that say, we're going to go beyond that is. When people start really looking to sell outside so that nobody is holding more than what they need.

00:36:27.770 --> 00:36:28.190

Compton, Scott [DEP]

Thanks.

00:36:33.690 --> 00:36:35.800

Clark, Daniel [DEP]

Dave it looks like has this end up.

00:36:37.150 --> 00:36:41.140

David Hirschler

Yeah, so I just on that fully agree with Diana but also.

00:36:42.150 --> 00:36:53.830

David Hirschler

You do still allow recyclers to sell to multiple groups so and maybe I shouldn't say this since we're recycler and a group, but it's.

00:36:54.830 --> 00:37:12.790

David Hirschler

Much easier it's much easier to move weight between groups. But the weight is going to move regardless. So I guess it's just it's just making it more challenging because then we're not gonna undersell our manufacturers and our plan. But if we have to sell weight to somebody else as well.

00:37:13.500 --> 00:37:20.900

David Hirschler

We would still do it just as a recycler and so it just it makes it more complicated for you guys, I think and for everybody.

00:37:22.760 --> 00:37:39.350

David Hirschler

So I think like Diana said. We're not gonna sell wait unnecessarily to other groups. Unless we've sort of got a prearranged. You know network share, or there's all sorts of different scenarios that could happen that way, but regardless of the main thing is.

00:37:40.640 --> 00:37:59.720

David Hirschler

The weight generally is moving from collected to recycling to group to manufacturer so if you block one pathway. It's not gonna. It's just gonna make it more confusing and less transparent for you guys, but the weight is still going to move around if that makes sense.

00:38:00.490 --> 00:38:02.950

Clark, Daniel [DEP]

I I think I think I follow.

00:38:05.810 --> 00:38:11.560

Clark, Daniel [DEP]

But yeah, I mean, I I guess what you're saying is that this might might not actually do a whole lot.

00:38:12.880 --> 00:38:13.940

Clark, Daniel [DEP]

As proposed.



00:38:15.090 --> 00:38:19.330

David Hirschler

Yeah, it wouldn't do much it would just I mean, it would just kind of.

00:38:20.620 --> 00:38:28.100

David Hirschler

It would just make it more complicated and less transparent. I think because you're you're making people it would make people report weight.

00:38:28.720 --> 00:38:32.800

David Hirschler

Uhm that they didn't know they sold necessarily if that makes sense.

00:38:33.970 --> 00:38:39.460

David Hirschler

As a recycler will sell to a group who will then sell to another group, but the report is just recycle it to recycler.

00:38:42.130 --> 00:38:44.140

Clark, Daniel [DEP]

OK, yeah, so I think I followed that.

00:38:48.270 --> 00:39:15.180

Compton, Scott [DEP]

I have another question if anybody is willing to make a comment this is you know, I don't how you want to answer this, but is is the general consensus out there among manufacturers that they don't want to have credit, that they just want to kind of like hit their number and be done, or is there a fair amount that like no, I would like to have a little cushion or a little credit at the end of the year? I don't know if anybody can comment or is willing to comment. But I'd be very curious to hear any responses to that.

00:39:17.430 --> 00:39:18.220

Clark, Daniel [DEP]

Yeah, Diana.

00:39:20.750 --> 00:39:51.200

Diana Mathis

I mean, there's uh allowance in the law to go over the 25% right and so that is. I think there's absolutely no OEM. That's gonna say. Hey, I'll take 30%. I mean, there's no purpose to doing that, so nobody wants to pay more into the system than what they absolutely have to pay so if there's an allowance to carry over that helps them in the next year, but anything that just supports the.

00:39:51.490 --> 00:39:55.400

Diana Mathis

cause is I don't think generally accepted.

00:40:01.160 --> 00:40:03.570

Clark, Daniel [DEP]

OK, thank you any anyone else care to comment.

00:40:07.100 --> 00:40:07.630

Clark, Daniel [DEP]

Tricia.

00:40:09.370 --> 00:40:38.960

Tricia Conroy (Guest)

Yeah, I think there are a number of manufacturers that share with Diana, saying but I would say it really varies by manufacturer and as a plan with many, many, many factors. We see people have really different philosophies. We have some who want to ensure the networks remain really stable and they're willing to budget and assure that there are others who don't want to go an ounce over so I don't think you can really make. I just think manufacturers vary and I'm not sure we can speak on their behalf completely.

00:40:39.000 --> 00:40:50.370

Tricia Conroy (Guest)

But certainly they're not crazy about going way over. But there are those who take the long game and help you know are not opposed to going over and having those credits.

00:40:51.020 --> 00:40:52.170

Compton, Scott [DEP]

Great, thanks, I appreciate that.

00:41:01.540 --> 00:41:02.940

Clark, Daniel [DEP]

Anyone else with anything else.

00:41:05.010 --> 00:41:07.080

Clark, Daniel [DEP]

Comments questions concerns.

00:41:16.830 --> 00:41:17.140

Clark, Daniel [DEP]

And.

00:41:17.190 --> 00:41:17.820

Clark, Daniel [DEP]

Anyone at all.

00:41:20.610 --> 00:41:25.040

Clark, Daniel [DEP]

I see somebody 's video that looks like Andriana, but you're muted.

00:41:24.090 --> 00:41:25.560

Andriana Kontovrakis

Sorry I hit the wrong button.

00:41:27.110 --> 00:41:33.140

Andriana Kontovrakis

What is the timing or when are these rules supposed to be in effect? Is it 2023 still like January?

00:41:34.200 --> 00:41:34.750

Clark, Daniel [DEP]

Ah.

00:41:35.820 --> 00:41:37.670

Andriana Kontovrakis

Or has that changed?

00:41:37.560 --> 00:41:43.510

Clark, Daniel [DEP]

Can I toss that to somebody else? I'm sorry. I don't have that right in front of me.

00:41:44.400 --> 00:41:47.420

Clark, Daniel [DEP]

Either Judy do you have an answer for that?

00:41:47.610 --> 00:41:52.800

Andrejko, Judith [DEP]

Uh sure we're hoping that the adoption would be sometime in the summer of 2023.

00:41:54.430 --> 00:42:01.630

Andriana Kontovrakis

OK, so they'd be adopted and then be effective in 2023 or effective in like the program you're starting 2024?

00:42:02.880 --> 00:42:09.770

Andrejko, Judith [DEP]

Think it would be the program year 2024 to allow for that data collection. Dan am I right on that one?

00:42:10.000 --> 00:42:16.280

Clark, Daniel [DEP]

Yeah, I mean, I think if they were adopted in the summer of 2023, we would

00:42:17.150 --> 00:42:22.110

Clark, Daniel [DEP]

not be able to implement them fully until 2024 or.

00:42:22.950 --> 00:42:33.370

Clark, Daniel [DEP]

I mean, depending on how late in the summer. You know, potentially even 2025. But hopefully yes if everything moves on schedule.

00:42:34.110 --> 00:42:41.820

Clark, Daniel [DEP]

Uh and they're adopted in the summer of 2023, then you know they would apply to the 2024 program year.

00:42:42.750 --> 00:42:44.110

Andriana Kontovrakis

Alright, thank you.

00:42:44.890 --> 00:42:48.300

Clark, Daniel [DEP]

Or at least not sooner than the 2024 program year.

00:42:45.130 --> 00:42:45.510

Andrejko, Judith [DEP]

Sure.

00:42:57.630 --> 00:43:01.540

Clark, Daniel [DEP]

Anybody else comments questions concerns.

00:43:05.890 --> 00:43:06.250

Clark, Daniel [DEP]

Thanks.

00:43:07.810 --> 00:43:08.700

Clark, Daniel [DEP]

Anyone at all.

00:43:19.110 --> 00:43:23.200

Clark, Daniel [DEP]

OK, I guess you know seeing none.

00:43:24.250 --> 00:43:34.260

Clark, Daniel [DEP]

Thank you everybody for coming today, you know, we do appreciate this like I've said earlier today and before you know a lot of these are things that we here at DEP do not

00:43:35.050 --> 00:43:38.940

Clark, Daniel [DEP]

have direct visibility or direct knowledge of so this is very

00:43:39.590 --> 00:43:40.310

Clark, Daniel [DEP]

helpful.

00:43:40.660 --> 00:43:46.030

Clark, Daniel [DEP]

for us to you know be able to talk with you about this and we appreciate you making the time.

00:43:46.680 --> 00:43:53.860

Clark, Daniel [DEP]

And if anybody does have any additional follow up comments.

00:43:54.200 --> 00:43:55.640

Clark, Daniel [DEP]

Uhm about

00:43:56.690 --> 00:44:05.160

Clark, Daniel [DEP]

anything in today's presentation. You know, let us know. Please and you have actually Tyrone could we go back a slide please. I'm sorry to slide 9.

00:44:05.920 --> 00:44:21.910

Clark, Daniel [DEP]

Uhm yeah, you know, so just and again, you know, none of this is written in stone, the rules haven't been adopted yet so if you know you have comments during the formal comment period. Please also submit those you know, not just on this, but on anything.

00:44:23.530 --> 00:44:37.640

Clark, Daniel [DEP]

And here I'm also you know before you go if you haven't yet you know just if you could put your name and affiliation in the chat we would really appreciate that for record keeping purposes and thank you very much everybody.

00:44:44.860 --> 00:44:45.730

Andriana Kontovrakis

Thanks, Dan.

00:44:46.810 --> 00:44:47.470

Tricia Conroy (Guest)

Thank you.

00:44:47.110 --> 00:44:47.760

MacGregor, Janine [DEP]

Thank you.

00:44:48.420 --> 00:44:49.020

David Hirschler

Thanks all.

00:44:48.710 --> 00:44:49.290

MacGregor, Janine [DEP]

Thanks all.

00:44:50.660 --> 00:44:51.280

Amanda Tischer-Buros

Thank you.