Denver Waste No More Implementation Task Force

Meeting #2
April 6, 2023 – Virtual Meeting (Zoom)

Prepared by the Consensus Building Institute (CBI)

For all meeting materials, including meeting schedule, agenda, and presentation, please go to: https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Climate-Action-Sustainability-Resiliency/Zero-Waste/Waste-No-More

Meeting in Brief
The 26-member Task Force met for the second time to identify market, infrastructure, and other constraints so that the WNM ordinance can account for, adjust to, and even influence those constraints. Several Task Force members and Blake Adams, Denver's Zero Waste And Circular Economy Manager, shared relevant policies and best practices from other jurisdictions, as well as market and infrastructure realities in Denver for the various sectors. Breakout groups provided input on the optimal balance for a phased roll-out of the ordinance, with Task Force members generally agreeing the roll-out needs to be more nuanced than originally drafted to ensure success, while still ensuring 100% participation in a substantially similar timeframe. Members also discussed and signed up for work groups. The May 5th meeting will focus on advancing equitable implementation of WNM, including supports and incentives.

Introductions + Context Setting
The Task Force was welcomed by Grace Rink, Director of Denver's Office of Climate Action, Sustainability and Resiliency (CASR) and CBI facilitator Ryan Golten. Grace framed the meeting discussion and contextualized it within the overall Task Force charge and remaining meeting topics. Grace also reviewed results from the survey sent to Task Force members and a few follow-up logistics from the last meeting. The full presentation is available to members in the Google Drive and to the public on the CASR website.

Current Market + Infrastructure Realities in Denver
Before discussing the optimal phasing for the WNM roll-out, the Task Force heard several short presentations by staff and Task Force Members to share 1) examples of similar ordinance roll-outs from other jurisdictions, and 2) relevant market and infrastructure challenges and potential opportunities for WNM implementation in the relevant sectors:

- Blake Adams, CASR’s Zero Waste and Circular Economy Manager, discussed his learnings and research on best practices from other domestic policies that mirror WNM. His
presentation can be found on slides 17-21. A fact sheet on ‘Diversion Policies in Other Cities’ can be found in the WNM Resources shared drive or by emailing sustainability@denvergov.org.

- Peggy Panzer, Stephen Shepard, Chris Chiari, and Jessy Aghababian shared about the key challenges and potential opportunities for WNM implementation when it comes to distributed infrastructure. A recap of their presentation can be found on slides 23-26.
- Erwin Galván and Christopher Berry shared the key supply chain, workforce, and infrastructure challenges, as well as opportunities for WNM implementation, for the large-scale haulers and processors in Denver. A recap of their presentation can be found on slides 27-30.
- Clinton Sanders and Vann Fussell shared the key challenges, potential opportunities, and other ideas for WNM implementation as it relates to Organics and Composting. A recap of their presentation can be found on slides 31-35.
- Anna Perks and JW Houser shared the key challenges and potential opportunities as they relate to construction and deconstruction (C&D). A recap of their presentation can be found on slides 36-35.

What Should the WNM Roll-Out Look Like?
After hearing from Task Force members, the group discussed the optimal roll-out of WNM in light of the opportunities and challenges presented and the Task Force’s guiding principles for implementation.

Task Force Guiding Principles for WNM Implementation
Ryan grounded the ensuing small group discussions with a reminder of the Task Force’s guiding principles that were memorialized in the Task Force Charter and can be summarized as follows:

- Recognizing will of the voters – i.e., universal access to compost/recycling in a discrete timeline
- Equitable (equity work group will help flesh this out, considering Denver’s OSEI equity principles)
- Feasible - for buildings, the City, consumers/waste producers
- Sustainable and leading to long-term success
- Cost effective (including for taxpayers and operators)
- Resilience and adaptive over time

Erica Rogers, Denver’s Excise and Licensing Policy Director, reminded the group of the ordinance timeline and proposed three types of roll-out options for small group discussion as delineated in the figure below.

Types of Roll-Out Options to Consider (Big Picture)
All options still require 100% participation within a certain number of years. Potential roll-out options are:

Option A: Update Deadlines Only

- Categories, requirements, and measures would remain the same
- Only Deadlines would be updated
- Workgroups would discuss options for the appropriate deadlines
• Task Force would provide **new recommended deadlines** in report

**Option B: Tweak Groups and/or Measures**

• **Requirements** would remain the same, but the group could choose to tweak the **definitions of parties or measures** with **updated deadlines**
• Work groups would discuss **options** for appropriate tweaks (like using tonnage instead of sq. footage)
• Task Force would provide recommendations for **improvements** in report

**Option C: Other Changes to Roll-Out**

• The group could examine the **categories, requirements, measures, and deadlines**
• Work groups would look at each aspect and discuss **options** (like modifying order of compliance)
• Task Force would provide recommendations to alter **any of the above timeline components**

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**Small Group Discussions**

The small groups provided input on options for a phased WNM roll-out in light of current realities, opportunities, and guiding principles. **Task Force members generally felt that, rather than just being pushed out by at least a year (as in Option A above), the WNM phasing and definitions should be modified to be as strategic and equitable as possible (Options B or C), while ensuring 100% participation within a discrete number of years, i.e., not substantially more than the current 4-year timeline.**

The various ideas for **restructuring the roll-out** included the following:

- Phase-in the **low-hanging fruit** first (e.g., C&D, recycling)
- Be aggressive without going so fast as to elicit significant pushback or repeal
● **Organics** need more time to effectively process the waste; the focus should be end markets (including the ‘closed loop’/circular economy) and what’s easiest to educate and implement first

● **End markets** for materials must be considered when determining the roll-out

● Consider modifying categories in current roll-out (e.g., tonnage instead of square footage)

● **C&D** and **special events** may need to be in their own categories (e.g., phasing even within C&D)

● May make sense to ‘rip off the bandaid’ with both recycling and compost, while also ensuring compost can actually be diverted

● Consider minimizing what goes into the 3-bin system to ensure success (**Seattle** example)

● Allows for **soft roll-out** with strong messaging and education about the ‘why’ from the outset (starting with education basics and moving to advanced messaging)

● Participation and **rapid adoption with incentives**, then slowly phase in enforcement (ideally after facilities have submitted their plans)

● For food waste, consider focusing on restaurants (educating staff in kitchens) before stadiums

● Some facilities may be easier to phase in than others due to space/zoning/bin requirements

● Allow Denver to **learn** from successful models throughout the country (including Lakewood)

**Additional opportunities** for WNM / Task Force recommendations included:

● **Pilots** can show how it can be done and what’s needed, without delaying the roll-out. These can showcase those who are already providing services and highlight different models/best practices (e.g., multifamily buildings), including financial impacts of adding recycling/compost as trash decreases. It was noted that pilots may be particularly helpful for events, and that they should focus on materials with commodities markets.

● **Closing current loopholes** in the ordinance

● **Defining terms** in the ordinance (e.g., ‘readily recyclable’)

● **Defining who is responsible** under the ordinance and what compliance looks like

● **Recommendations to Council** should include **funds** for education, incentives and other financial/technical supports, as well as City **FTEs** to implement it

● **Alley access** and **lockable bins** are an opportunity to solve contamination issues

● **Understanding funding** sources may help determine phasing feasibility - e.g., FRWD (Front Range Waste Diversion), RREO, EPA grants

● **Opportunity to share** enforcement/outreach resources because of having both PAYT and WNM

● **Opportunity to coordinate messaging** with DOTI’s green cart rollout

Small groups also cited ongoing **challenges and questions**, including:

● Infrastructure and capacity

● Ensuring the WNM roll-out achieves the intent/goals passed by the voters

● Importance of maintaining a ‘drumbeat’ of consistent messaging throughout

● Cannot start and stop enforcement; this breaks public confidence

● Need supports for low-income MFUs to ensure costs are not passed along to renters

● Large city construction contracts present big opportunities but may require more time to roll out

● In addition to the challenges presented, workers’ capacity and impacts on housing affordability must be considered in the roll-out
• Concern from restaurants and grocery stores about ability to comply based on hauling/processing/storage challenges
• Need clarification from CPD on how the recycling plan is related to the demo permit.

Full Group Debrief/Discussion
The Task Force heard from the small groups and emphasized the following additional points:
• We need to focus on a **consistent, unified marketing/education campaign**, then move into rapid adoption, focusing on performance before enforcement. (E.g., Seattle model – start tagging bins but don’t fine for 5 years.) This includes broadcasting across multiple media what is being **done** and what **success** looks like.
• We need strong **buy-in** of residents. In cities where they have rushed the C&D portion in particular, and the policy failed, they lacked a strong grassroots support. Because Denver does not have a widespread grassroots movement insisting on success, developing awareness (i.e., among contractors, homeowners) through a phased roll-out will help avoid a public backlash.
• It may make sense to apply requirements to all **haulers**, regardless of size, to spread out costs and enable them to integrate WNM signage and education requirements into their contracts. This could help take pressure off the generators as well.
• Recommendations to Council should highlight useful **examples** of how other cities are doing this.
• The Task Force should **survey** each sector we represent to understand what’s going well, who is providing these services, how it was achieved, and what the costs implications have been (and then showcase examples)
• In a **future meeting**, it would be useful to see examples from other universal waste ordinances regarding **operations** (including, e.g., implementation costs, information relevant to haulers)
• Funding options may include:
  o [https://www.coloradofrwd.org/](https://www.coloradofrwd.org/)
  o [https://cdphe.colorado.gov/sustainability-programs/recycling-grants-support/recycling-resources-economic-opportunity](https://cdphe.colorado.gov/sustainability-programs/recycling-grants-support/recycling-resources-economic-opportunity)

Work Groups
Based on input from the group, Ryan proposed several initial work groups that will:
• Address specific topics that need to be clarified and/or fleshed out in the ordinance
• Discuss nuanced issues and vet options for Task Force consideration
• Maximize relevant expertise while preserving limited Task Force time
• Provide a nimble, manageable discussion forum (ideally <8 people)
• Have no decision-making authority; all options will be reviewed by the full Task Force
• Meet as needed – some may meet once; others multiple times
• Invite outside experts as useful to fill key gaps in expertise

Task Force members signed up for work groups after Ryan and Erica summarized the proposed groups and the overall purpose of each. See slides 49-57. It was noted that, because haulers provide services to specific facilities/events, they should join the other relevant work groups.
### Task Force sign-ups

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<th>Licensees/Events</th>
<th>Apartment/Office Buildings</th>
<th>C&amp;D</th>
<th>Equity</th>
<th>Signage</th>
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### City staff

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<th>City of Denver</th>
<th>Grace Rink - CASR</th>
<th>Blake Adams - CASR</th>
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<tr>
<td>Rose Watts</td>
<td>Erica Rogers; CPD staff</td>
<td>Jessica Lally</td>
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Taylor Moellers - CASR  
Tom Gleason - Buildings and Homes, CASR  
Anna Erickson - CASR  
Erica Rogers - EXL  
Rose Watts - CCD OSE  
Meghan Sullivan - OSE  
Mary Gearheart – DOTI  
Nina Waysdorf - DOTI  
Jessica Lally - DOTI  
Jill Jennings Golich - CPD  
Alexa Rosenstein - DEN  
Gregg Thomas – DPHE

### Task Force Members

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