

Montana Solid Waste News

SPRING 2013 ISSUE



Bad Storm Rising

Kathy O'Hern

In this issue I've included an abridged version of an article about Hurricane Sandy that appeared in the February 2013 issue of *Waste Age*. The article describes the enormous amount of damage that the storm inflicted on the east coast, and the massive amounts of waste debris that was generated.

New York reported that an excess of 400,000 tons of debris were generated from the storm. And one FEMA representative estimated more than 6.5 million cubic yards of debris overall.

The New Jersey Department of Environmental Protection said that more vegetative waste was generated in one day than is usually generated during one year!

More than 115,000 individual containers of household chemicals were collected during the storm cleanup.

In order to deal with this waste, it was necessary to set up temporary disposal sites in parking lots, city parks, and on closed landfills.

How would your community deal with an event that generated a massive amount of debris? Have you identified staging areas at your facility? Would you be able to secure the equipment needed for a major debris-generating event?

One of the topics scheduled at the Solid Waste Program's May training in Missoula is large-scale debris management. Emergency Management Trainers will help you get started on developing a Debris Management plan for your facility. More about the training on page 3.

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Rick's Corner

Rick Thompson

Staff Changes

The Solid Waste Section (SWS) once again has staff vacancies. Since the last publication of this newsletter, Martin Van Oort, Solid Waste Program (SWP) hydro-geologist, left the program to pursue similar duties in the DEQ Industrial and Energy Minerals Bureau. Martin provided great service to the SWP and the regulated community during his 6 year tenure, and we wish him continued success. Also recently departed from the SWS, Motor Vehicle Recycling and Disposal (MVRD) Program is Carda Taylor. Carda was with the MVRD Program for just over a year and is now with the Materials Lab at the MT Department of Transportation. We also wish Carda the best in her new endeavors.

Rules Update

The SWP is also finalizing several rule packets which will be adopted by the end of fiscal year 2014. The rules to be adopted include, Financial Assurance for SW Facilities, Infectious Wastes Management, Composting, and Petroleum Impact Soils Landfills. We look forward to your comments when each rule packet is noticed by the Secretary of State Office.

Solid Waste Training

Over the last two years the SWP undertook the oversight, coordination and presentation of the solid waste training courses. Based on your evaluations, the classes were well received and were a great resource. Thanks to Kathy O'Hern for adding the coordination of the training events to her already full plate. (There is a follow up article on the training classes on page 3 of this newsletter.) We have begun planning for the next biennium, and if you have ideas for topics, please contact anyone in the SWP before June 30, 2013.

Solid Waste Advisory Committee (SWAC)

The SWAC has a vacancy for a "Small Western Class II Landfills" representative. If you are interested in serving please contact me for more details. "Thanks" to Chris Viets from Richland County for volunteering to represent Small Eastern Class II Landfills. We hope to see Chris at the next SWAC meeting on July 10, 2013, in Helena.

After a long winter, the SWP staff is ready to hit the road to come see the good work that is being done at our Montana solid waste management facilities. Keep up the good work and be safe. If you have any questions or comments, I can be contacted by phone at (406) 444-5345, or by email at rithompson@mt.gov.



Two of DEQ's in-house thespians, Rick Thompson and Gordon Higgins, demonstrate ways to defuse a difficult situation during a recent STP training.



Scrap Market Basics

Many sources have remarked over recent years that without the resurgence of the domestic auto market, ferrous scrap would have suffered even more deeply during the economic crisis. After reaching sales of 16.1 million passenger vehicles in 2007, sales slumped to 13.2 million vehicles in 2008 and 10.4 million in 2009, according to National Automobile Dealers Association (NADA) figures. After the "Cash for Clunkers" program and the government bailout of General Motors, sales rebounded to 11.6 million vehicles in 2010, 12.7 million in 2011 and 14.4 million last year. So far, 2013 is on pace for 15.3 million vehicle sales, according to NADA estimates. The manufacture of these vehicles demanded a lot more steel, which in turn demanded more ferrous scrap.

Solid Waste Training

During the past two years the following list of training courses were offered through the Solid Waste Program.

- February 2012 **8-hour HAZWOPER Refresher**, Helena (and telecast throughout the state)
Instructor: Tony Olson
- March 2012 **Landfill Operations, Safety and Maintenance**, Great Falls
Instructor: Neal Bolton
- June 2012 **Composting in Montana**, Helena
Instructor: Jean Bonhotal
- September 2012 **Household Hazardous Waste & E-Waste Collections**, Bozeman
Instructors: Jackie Couture and Bridget Kelly
- January 2013 **24-hour HAZWOPER**, Billings
Instructor: Bridget Kelly
- March 2013 **Coping with Personnel, the Public, and the Generation Gap in the Workplace**, Helena
Instructors: Professional Development Center
- April 2013 **Manager of Landfill Operations (MOLO)**, Helena
Instructor: Neal Bolton

Coming in May 2013— **Asbestos, Meth, and Debris Management at Solid Waste Facilities**, Missoula
(see following course description)

After the May training in Missoula there are **NO MORE** solid waste trainings planned for the remainder of the fiscal year ending June 30, 2013—or beyond. However, Solid Waste Program staff will soon be developing the training schedule for 2014 and 2015. If you have a particular training that you think would benefit your operation and other solid waste facilities, please let us know soon! Send your training ideas to kohern@mt.gov or rithompson@mt.gov.

Asbestos, Meth, and Debris Management at Solid Waste Facilities

May 15-16, 2013

Missoula Grant Creek Inn

Wednesday, May 15, 2013

Methamphetamine—what’s new in Montana’s meth scene?

Are your landfill employees able to identify meth residuals, and be safe while working around them? What regulations address the disposal of meth residuals?

Asbestos—it’s everywhere—have your landfill employees been trained to identify incoming asbestos materials? What are the regulations that pertain to asbestos disposal?

What are the responsibilities of the contractor and the landfill when it comes to packaging and handling asbestos-containing materials?

Thursday, May 16, 2013

Debris Management—Hurricane Sandy, Katrina, Tsunami – what’s that got to do with Montana? Actually, the potential for large-volume debris in Montana is REAL.

At any time an earthquake, train wreck, fire, ice storm, flood, or a number of other disasters could generate debris in volumes that your landfill is not prepared to handle.

Emergency Management Trainers will help you get started on developing a Debris Management plan for your landfill. Don’t wait until it’s too late!

Register online at <https://appmt.gov/confreg2/index.html> by May 13, 2013, or contact Kathy O’Hern to register by phone.

Spring Transitions

Gordy Higgins, Rule Writer

Warmer temperatures mean we'll increase our field presence, recover a bit from the recent legislative session, and begin to plan for the coming biennium's adjustments in responsibilities and budget needs.

The 63rd Legislature adjourned sine die April 24th following a bit of political drama, but not before striking a deal on the key budget, tax, and pension issues. DEQ was well-represented by our newly appointed director, Tracy Stone-Manning, and testified on several important issues. The solid waste program provided information to lawmakers on a number of bills; two of which have a direct effect on the solid waste community.

HB 146, sponsored by Rep. Kris Hansen of Havre, makes changes to the solid waste facility annual license provisions. Under the new law, effective now, DEQ may only collect annual license fees once a facility accepts waste, regardless of when the facility was initially licensed.

Sen. Chas Vincent of Libby sponsored SB 364, which eliminates the exclusion of electrical generating facilities from the Solid Waste Management Act and provides rulemaking authority to the department to address coal combustion residues at facilities. The rulemaking provision is intended to provide for the state implementation of any federal legislation or EPA regulations.

In addition to rulemaking efforts the two pieces of legislation will require, the Program has rule packages ready for notice and adoption in the areas of financial assurance, infectious waste management, composting, and soil treatment facilities.

Feel free to contact me or any of the Program staff if you have questions. See you this summer.

Solid Waste main line, 406-444-5300

www.deq.mt.gov/SolidWaste



Got Asphalt?

The reuse policy for asphalt has been updated. The guidance "Fact Sheet" can be found on DEQ's website:

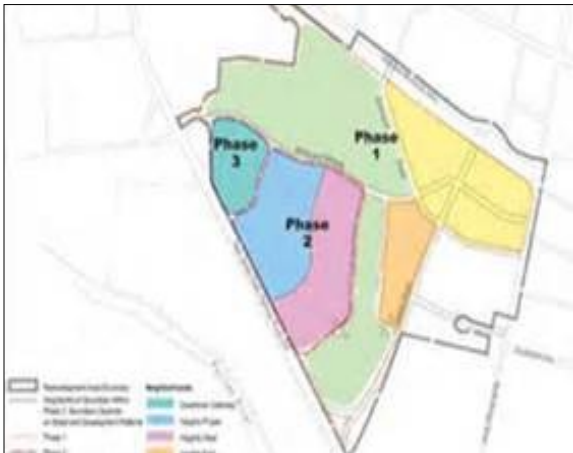
<http://www.deq.mt.gov/solidwaste/guidancefactsheets.mcp>

See "Guidance on Waste Asphalt Recycling, Reuse or Disposal"

Updating Facility Plans

Martin Van Oort and Mary Louise Hendrickson

Periodic review and updates to some facility plans are required in the Administrative Rules of Montana (ARM). Here is an overview of the plans that should be reviewed.



Operation and Maintenance (O&M) Plan – According to ARM 17.50.509(3), an owner, operator, or licensee of a solid waste management system shall review the O&M plan every five years after the date of the issuance of the solid waste management system license to determine if significant changes in conditions or requirements have occurred. If the review indicates that significant changes have occurred, the owner, operator, or licensee shall update the O&M plan to reflect changed conditions and requirements, and submit the update to the department for approval. If the review indicates that significant changes have not occurred, the owner, operator, or licensee shall notify the department in writing that an update of the operation and maintenance plan is not necessary.

Closure and Post-Closure Care Plans – Because the Closure Plan is listed as part of the O&M Plan, the provisions of ARM 17.50.509(3) apply as noted above. Review of the Post-Closure Care Plan is not specifically required in the rule, but periodic review of this plan is necessary to ensure the Post-Closure Care financial assurance cost estimates remain accurate.

Methane Monitoring Plan – The Methane Monitoring Plan is also listed as part of the O&M Plan, and subject to the O&M Plan update provisions listed above.

Ground Water Monitoring Plan – Updates to the Ground Water Monitoring Plan are required in ARM 17.50.1304(4) (b) every five years for active facilities and every ten years for closed facilities. The Ground Water Monitoring Plan is also listed as part of the O&M Plan, thus the provision under ARM 17.50.509(3) to only submit written notification that no update is needed if there have been no significant changes also applies to the Groundwater Monitoring Plan.

With all of these plans, an update must be submitted any time there is a major change planned to facility operations. This is particularly important for the O&M Plan, where, according to ARM 17.50.1101(2), Department approval is necessary prior to the implementation of changes in facility operations.

A plan update can take different forms, depending on the extent of the change in procedures. The simplest update is an addendum, which is typically used to describe some minor change that requires Department approval. Typically these addendums are rolled into the main plan document during the next five year update to keep the plan clear and understandable for the facility, the regulators, and the public. The format of the five year updates to these plans depends on the extent of the changes which have occurred since the last plan was issued. If there have been relatively few changes to the plan, the update could consist of replacement pages for only the sections of the plan which are affected. If more extensive changes have occurred, a completely updated document may be necessary.

The Solid Waste Program encourages facilities to contact us when a plan update is necessary. This way we can help you select the appropriate level of plan update needed, and save all concerned both time and money in submitting the plan updates.



Surplus Reference Publications Available

The Solid Waste Program has duplicate copies of a series of references which we are making available to Solid Waste facilities and consultants on a first come, first serve basis. These documents are published by the Interstate Technology and Regulatory Council (ITRC) and cover varied topics related to contaminated site assessment and remediation. If you would like any of the titles in the list below contact please contact us at 406-444-5300. Any documents left over on July 1, 2013, will be recycled.

Title	Published	Copies
Vapor Intrusion Pathway: A Practical Guideline	January 2007	2
Vapor Intrusion Pathway: Investigative Approaches for Typical Scenarios	January 2007	3
Protocol for Use of Five Passive Samplers for a Variety of Contaminants in Groundwater	February 2007	2
In Situ Bioremediation of Chlorinated Ethene DNAPL Source Zones: Case Studies	April 2007	3
Triad Implementation Guide	May 2007	3
Improving Environmental Site Remediation Through Performance-Based Environmental Management	November 2007	4
Decontamination and Decommissioning of Radiologically Contaminated Facilities	January 2008	4
Remediation Technologies for Perchlorate Contamination in Water and Soil	March 2008	4
Enhanced Attenuation: Chlorinated Organics	April 2008	3
In Situ Bioremediation of Chlorinated Ethene: DNAPL Source Zones	June 2008	4
Use of Risk Assessment in Management of Contaminated Sites	August 2008	3
Quality Considerations for Munitions Response Projects	October 2008	4
An Overview of Land Use Control Management Systems	December 2008	4
Phytotechnology Technical and Regulatory Guidance and Decision Trees, Revised	February 2009	4
Evaluating Natural Source Zone Depletion at Sites with LNAPL	April 2009	4
Evaluating LNAPL Remedial Technologies for Achieving Project Goals	December 2009	4



Montana Solid Waste Classifieds

Does your facility have equipment that you want to sell? Is there a piece of used equipment that you'd like to locate?

The Solid Waste News is sent to every solid waste facility in Montana. Send your "for sale" or "wanted" items in by July 12, 2013, to be included in the summer issue of the newsletter.

Kathy O'Hern, 406-444-9879, kohern@mt.gov

In Sandy's Wake

Allan Gerlat, *Waste Age February 2013*

John Doherty, New York Department of Sanitation's 74-year-old commissioner, has lived his whole life in New York City, and has worked for the department for more than 50 years. But last fall's historic Superstorm Sandy made an impression on even this seasoned veteran.

"This was the worst natural disaster I've seen in my lifetime as a New Yorker," Doherty says. "Nobody anticipated we'd see anything like this."

The storm hit the entire eastern seaboard of the United States in late October but did the most severe damage to the heavily populated areas of New York City and New Jersey. Damage estimates in the United States exceed \$60 billion.

Moreover, it left an enormous amount of waste debris to be managed. "There was more vegetative waste in one day than there usually is in a year," he says. "We've never seen anything like that. It looks like a giant just uprooted the trees."



The U.S. Army Corps of Engineers, which assists FEMA in emergency response, reported that nearly 115,000 individual containers of household hazardous waste were collected overall.



The New Jersey Department of Environmental Protection (NJDEP) connected with major debris haulers across the country that had experience in disaster management and arranged state contracts, so any organization could use their services without having to go through the bidding process.

Much of the debris needed to be disposed in out-of-state landfills because of the volume. As many as 250 temporary disposal areas were set up around the state of New Jersey – unused parking lots to closed landfills.

New York City used a multitude of temporary debris storage areas as well, from a federal park area to some locations on Staten Island to parking lots and beach areas — even the old Fresh Kills landfill.

It was so bad it looked like the east coast had been bombed. When people were allowed to go back into their homes they set debris out on sidewalks and then the street. Some streets were impassible, with mounds 10 to 12 feet high. Disabled vehicles also blocked the streets.

The best way to avoid this kind of chaos? "Don't have any storms," said a solid waste official. And, "Don't underestimate the size of the task in front of you, take a giant gulp: 'What are we going to do?' You try to break it down into bite-sized pieces. That's how we tackled it."

The departments themselves now have a greater understanding of what to do. "It's been a learning experience," one public works director said. "I think we've done some things right, and some things we could have done better. But how would you know until you go through it?"

Read the entire article at <http://waste360.com/disaster-preparedness/sandys-wake>

Cooperatives Back Legislation to Further Deter Copper Theft

Rural Montana, April 2013

The theft of copper and other non-ferrous metals cost electric cooperatives, and other industries across Montana, thousands of dollars.

In 2009, the Montana Legislature, led by Montana Electric Cooperatives' Association, began to take a stand against copper theft. Senate Bill 247, which was passed and signed into law that year, requires making a copy of the seller's ID for any non-ferrous or precious metal scrap transaction of more than \$50, and that detailed records be kept for the purchase of such metals. Additionally, the scrap recycling industry set up the website www.scrapthefalrt.com to instantly get the work out about any metal theft in the state.



The result has been several high-profile arrests across Montana, including one man who was charged with stealing more than \$23,000 worth of copper welding wire from construction sites in the Helena area.

"Ultimately, at the end of the day, the legislation has been effective," said Patrick Kons, vice president of scrap operations for Pacific Steel and Recycling in Great Falls.

Recognizing that more can be done to curb copper theft, the Legislature currently is considering* House Bill 463, which would establish that the damages caused by the theft of non-ferrous and precious metals be based on the cost to restore the impacted equipment or property, and not just the scrap value of the stolen material.

For example, thieves often cut fences to gain access to substations or worksites where the metals are kept. The actual cost of the theft is, therefore:

- The metal theft
- The fence (or equipment) repair
- The cost of labor and equipment needed for the repair
- The lost work that the employees/equipment would have spent if not used on the repair

These damages may add up to be three-to-four times the cost of the actual theft, or much more.

** After this article was written HB 463 was passed and signed by the Governor.*



Facts About the North American Auto Recycling Industry

- ⇒ Automotive recycling businesses employ some 103,108 people at more than 8,267 businesses around the country.
- ⇒ Automotive recyclers can often locate parts faster than new part dealers because the recyclers are connected by telephone, satellite and/or computerized communications systems to other recyclers across the globe.
- ⇒ Automotive recyclers provide wholesale and retail customers with quality parts that sell for up to 50% less than comparable new parts.
- ⇒ Automotive recycling keeps highways and roads clear of abandoned and disabled vehicles by providing a place to deposit these vehicles.

Have you ever seen Grizzly Bear tracks at your facility? Can anyone guess the landfill or transfer station where these GRIZ tracks were recently photographed?



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kohern@mt.gov, 406-444-9879

It is not because things are difficult that we do not dare; it is because we do not dare that things are difficult.

Seneca (Roman philosopher)