

Solid Waste Advisory Committee

February 2, 2005

Mission Statement: To enhance communication and the working relationship between the Department and the solid waste management facility owners/operators, through the discussion of issues and the exchange of ideas.

Call to Order: Doug Sparrow at 1:40 pm, Helena, Montana.

Committee members in attendance: Sherrel Rhys – Lewis & Clark County; Barb Butler - City of Billings, attended by phone; Max Bauer – BFI Missoula, attended by phone; Mark Kottwitz – City of Bozeman, attended by phone; Bob McWilliams – Beaverhead County; Joe Aline – Cascade County; and Rick Thompson – DEQ.

Others in attendance: Brian Spangler, Will Selser, George Scriba, Lou Moore, Barry Damschen, Ed Thamke, Richard Opper and Mark Nelson.

Review and acceptance of minutes from September 2004 and December 2004.

PCB Wastes

Rick volunteered to draft a letter to EPA if committee members would submit their concerns on those issued to him.

Solid Waste Budget

The committee requested that Mike Vogel submit a breakdown of the expensed for the September 2004 MOLO training in Billings.

P2 Program Update

Brian Spangler discussed the current source of funding for recycling in the state. He explained that there were no funds coming from the DEQ. Sherrel spoke on the issue of determining the amount of mercury that would go in the landfills. Brian stated that there would be a limit of how much mercury would be accepted in the state of Montana. Barb questioning as to how plastic bags could be recycled instead of showing up in the landfills.

Legislative Update

Lou Moore and Brian Spangler gave an update of the bills affecting the P2 Bureau.

The bills include;

House Bill 144, sponsored by Rep. Christen Kauffman. This bill would revise the Integrated Waste Management Act. It received positive feedback from the House Natural Resource Committee with a 14-1 vote to send it to the House floor. It was expected to pass in both the House and the Senate.

Senate Bill 213, sponsored by Rep. Bob Storey. This bill would revise the recycling laws to extend the recycling tax credit. It would also extend the tax credit to energy from recyclable materials.

House Bill 463, sponsored by Rep. Tom Facey. This bill would extend and increase the tax credit for post-consumer glass use.

House Bill 665, sponsored by Rep. Teresa Henry. This bill would provide for the regulation of mercury added products.

LC1511 had no sponsors as yet. This draft bill would increase solid waste fees to fund recycling grants in the state.

LC#? This is a draft bill that would require the recycling and tracking of plastic grocery bag usage in the state. This draft was still awaiting a bill number and a sponsor.

Ed Thamke gave an update on the bills affecting the Waste and Underground Tank Management Bureau. He also addressed the DEQ's involvement in the bill writing process. Ed explained that 'A' Bills are bills that are requested by the agency for sponsorship or ones that the agency had a hand in rewriting. He gave a summary of the 'A' bills presently under consideration. They were:

Senate Bill 65, sponsored by Sen. John Bruggerman. This bill took waste tires out of the definition of a junk vehicle component part. This bill was tabled, as the DEQ did not do a good enough job recognizing potential stakeholders and getting them involved in the bill development prior to the commencement of the legislature.

House Bill 77, sponsored by Rep. Bernie Olson. This bill would increase the septic tank pumper fees from \$125.00 to \$300.00 annually. This bill passed on third reading in the House. It is expected to pass in the Senate as well.

House Bill 78, sponsored by Rep. Christopher Harris. This would require full compliance for UST owner/operators. At this time, the law states that if an operator is not in full compliance with every law and rule, the Dept. would have to take action against him or her before renewing his or her operating certificate. The bill passed on the third reading in the House, and it was anticipated to clear the Senate.

He then explained that 'B' Bills, are bills that impact the agency directly, but did not originate or are sponsored by the DEQ. The 'B' Bills currently under consideration are:

House Bill 48, sponsored by Rep. Sue Dickenson. This bill proposes to remove electrical generating facilities from the facilities that are currently excluded from the solid waste management act. Organized labor opposed this legislation because they thought it would cost jobs, and it failed on the second reading.

House Bill 60, sponsored by Rep. Christopher Harris. This bill creates standards that cleanup contractors would have to meet to ensure that property used, as methamphetamine labs are no longer emitting a certain concentration of methamphetamine into the air.

Doug asked for any announcements for training. Rick responded that in talking with Mike, he wanted to know a day and what the committee preferred for the training dates. The selection was needed on that day. The dates to choose from were March 15-16-17 or March 22 – 24 in Billings. The decision was left up to Mike, but each thought the first selection would be best.

Announcements / Training Issues: S.W.A.C. will meet again on May 4, 2005 in the Director's Conference Room 111.

Agenda for the next meeting: Mike to provide MOLO cost breakdown; Update for the Solid Waste rule rewrite; Legislative update; PCB Information; and discussing who will replace Sherrel.

Adjourn: The meeting was adjourned at 3:10 pm