

Solid Waste Advisory Committee Meeting Minutes

April 5, 2018

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.

Committee members in attendance:

Barb Butler – Major public Class II landfills (via conference call)
Mark Nelson – transfer stations
Joe Aline - landfarms
Rick Thompson - DEQ Solid Waste Program
Brian Hohn – MACo/Class III landfills and burn sites
Dave Duffy – private intermediate Class II landfills

Committee members not in attendance:

Vacant - small eastern class II landfills representative
Jim Simon – compost public/private
Roger Bridgeford – major private class II landfills
Amy Ferguson – public intermediate class II landfills

Others in attendance:

Brady Christensen – DEQ Materials Management Program
Mary Hendrickson – DEQ solid waste
Glen Rafish – BSB landfill
Joe McElroy – Pioneer Technical Services
Barry Damschen - Barry Damschen Consulting
Mike Rieger – DEQ enforcement
Dianna Robinson – DEQ materials management program
Fred Collins – DEQ solid waste
Julie Ackerlund - DEQ Air Quality Bureau – Planner
Jackie Resen – City of Helena
Kim Carley – City of Helena
Carolina Balliew - DEQ

- **Meeting Called to Order at 1:32 p.m.**
- **Review and Approval of Minutes**
 - Mark proposed we begin distributing the minutes shortly after the meeting.
 - The minutes from the January 11, 2018 meeting were approved with corrections.
- **Introductions**

- **Agenda Items from Previous Meeting**

- Updates to storm water general permit for industrial activities – Water Protection Bureau
 - Carolina Belliew from the permitting section came to update
 - Storm water industrial
 - Finalized general permit
 - Need to be renewed by March 31. They will get through the 200 applications they have in the next couple months.
 - Sage grouse update – if the context of the exception is the same context of storm water industrial then they can apply it. Consultation would not be required if footprint doesn't expand or substantively change.
 - Q: if redesigning 20 acres of landfill and there are six phases (ask Ed) they don't have to? when moving to next phase. If they add a phase, they do.
- Solid Waste Training Update – Fred Collins
 - Building next level performance capacity - May 23 & 24 at C'mon Inn in Bozeman
 1. Please enroll if interested
 - July 31 - Aug 2 trade show. An agenda will be prepared – we are expecting vendor presentations interspersed with solid waste trainings to occur throughout the two and half days.
 1. Neal Bolton will do landfill safety and bring drone and gps vendors
 2. Waste tire management panel discussion planned
 3. Will send rough agenda tomorrow
 - End of Sept another equipment rodeo will be in Glasgow
- Rules Update – TENORM Rules and Coal Combustion Residual (CCR) – Rick Thompson
 - They are kick-starting the rule-writing effort.
 - Consultation is occurring with the legal department about timeframes
 - Mary H and Rick attended NORM conference last week and made many valuable contacts.
 - DEQ is reassessing resources (there are fewer legal resources)
 - It is the Bureau's goal to finalize rules before end of calendar year.
 - Public comment period is open for revisions to existing rule
 - We've been working with people on flexibilities for coal ash ponds
- Methane rules-Julie Ackerlund
- Solid Waste Licensing Flowchart – Rick Thompson and Ed Thamke (Bob Habeck is on vacation)
 - Bob Habeck has completed communications with legal and MEPA
 - Next step is for SW, legal, and MEPA to meet
 - The hope is that the flowchart will be ready in time for the next meeting
 - On Monday the program will be meeting about this
 - Ed will appreciate feedback on the finished product
- Pros & Cons of starting a SWANA chapter in MT
 - Rick was directed to SWANA's website
 - Education, advocacy, innovation – these are pros
 - Another pro is that they have a Costa Rica chapter

- Provinces in Canada are included and Oregon and Washington
- Colorado, Utah, and Arizona all have chapters
- We could join an existing chapter or start our own
- Con – fees
- Barry D noted our immediate neighbors don't have SWANA chapters. he speculates that if they don't have one, why do we need one. He doesn't see a lot of advantages.
- Mark also doesn't see advantages. If we relied on them more than we do for training, there might be some but we are doing well in that area.
- Another situation – a facility wanted someone to be MOLO certified; this is different than SWANA membership.
- Consensus was we will likely continue with our status quo.

- **Solid Waste Section Updates**

- Licensing – Mary Hendrickson
 - We are in license renewal.
 - All but 60 of the renewals have been submitted
 - Late notices will go out next week.
 - Mary wants to know if electronic or paper versions were used – which was better?
 - 40 licensees are not up to date with fees. Notice will be sent about that.
 - We have several EAs in the works
 - Working on response to comments to Yellowstone Disposal
 - The City of Billings EA is in legal for review
 - Northern MT expansion – final draft EA getting it ready to send to MEPA
 - Q: what's composting facility in Billings? A: Rocky Mountain. Mary and Fred will visit with them shortly to ensure compliance with new composting regulations
 - There's an application for a new Thompson Falls transfer station
- Inspections – Rick Thompson
 - We haven't done many due to winter
 - Mary stopped by Billings in March. Report forthcoming. Rick also stopped by and said it looks good.
 - One other inspection occurred in Jefferson County at Tri-County Disposal.
- Materials Management – Brady Christensen
 - JV slow
 - 2 licenses change of ownership
 - Finalizing new facility license
 - ? Missoula
 - Working on integrated waste management plan
 - Sending invitations next week for integrated waste management plan meeting they are setting up. Will be sometime May 7-10. The date

picked will depend on moderator (Becky Branbourg). Rick suggested using a Google poll to find out what date attendees prefer.

- Enforcement - Mike Rieger
 - Five asbestos complaints
 - 1 JV complaints
 - No stp complaints
 - 14 sw complaints. Two were for licensed Valley view in Jefferson.
 - Enforcement and SW put together a guidance document for waste tires. It's on the website. Mike encourages folks to look at that, and bring any questions to the next meeting.

- **New Agenda Items**

- Fees
 - We are looking for new funding sources (internally). Ed's been meeting weekly regarding this.
 - We were looking at fee increases to offset losses. We're not moving forward until a new fee structure is in place; once that is the case, this discussion will be revisited.
 - Ed – our natural resource funds are down, general fund dollars non-existent, and other fees are down. There probably won't be a SW update in July as other areas of DEQ take priority. We do know that fees will be raised.
 - Q: Do fee raises have to go thru rules/comment? A: If we decide to raise fees, we create a rule. Regulations are in ARM. This is the only fee the SW program has that goes before the Board of Environmental Review for adoption.
 - Q: is there a timeframe? A: no. SW estimates nothing will happen until FY2019. Consideration will be given to providing timely notice.
 - Q: If we go thru process, does legislature have ability to change fees? A: yes. A bill to change ARM would have to be introduced. It's possible but not likely.
 - We would like to have all fees in the rules to make it easier to adjust them.
- Assign a SWAC member to fee discussion
 - no
- SWANA discussion
 - Already done
- Bob Habeck update
 - Bob not here
- Where tribes are at in solid waste – Gerald Wagner
 - Gerald not here
- Rick and Mary talked about their NORM North America Conference in Dallas.
 - Rick and Mary gave a presentation on our proposed TENORM rules. got really good feedback from other states, industry, and health physicists.
 - Based upon health physicists' presentation, MT's 50 pCi/g is not a high amount. Some states don't regulate until it's over 100 pCi/g. It was encouraging to better understand that our pcs/gm amount seems to be well

within safe standards, and that we are on the right track and in a good spot with what we're proposing right now.

- North Dakota's TENORM is tied to their air quality, which changes their pCi/g to 5. Currently, no facilities in ND accept 50 pCi/g (three have applied and are awaiting approval). Their definition of TENORM is different than Montana's. Our challenge is messaging; public just hears "radioactive" and don't understand we are protecting health.
- The health physicists want to be on the interested parties' list and want to help us. They are an invaluable resource.
- They were invited back next year to speak about our (hopefully completed) rules.
- Q: any thoughts of going higher (pCi/g limit)? A: no
- Wyoming wants to mirror what Montana's doing. Whatever we do will be like those to the south of us. This is a powerful opportunity to develop regionally consistent rules.
- Q: If someone gets load over 50 pCi/g, where can they dispose of it? A: Idaho or Colorado.

- **Round Robin Discussion**

- Joe – quiet, lots of snow not much wind
- Mark – quiet and windy, down three drivers
- Dave – wet and muddy
- Brian – times are changing in Broadwater County. Waste disposal contract went out for bid and changes may be coming (to what landfill they use).
- What's going on in Butte? Cold wet snowy windy

- **Call for agenda items for next meeting**

- Assign a SWAC member to the fee(s) discussion
- Update to fee discussion

- **The next SWAC meeting will be July 12, 2018. Lunch will be at 12.**

- **The meeting adjourned at 2:46 p.m.**