

Solid Waste Advisory Committee
May 4, 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: Sherrel Rhys – 1:35 p.m. Helena, Montana

Committee members in attendance: Max Bauer – BFI Missoula ; Sherrel Rhys – Lewis & Clark County; Joe Aline – Cascade County; Tom Barth – Coral Creek Landfill; Bob McWilliams – Beaverhead County; Barb Butler – City of Billings; and Rick Thompson - DEQ.

Others in attendance: Brian Spangler, Mike Vogel, Mark Nelson, Lou Moore, David Seeberger, Pat Crowley, Barry Damschen, Will Selser, and Ed Thamke.

Acceptance of Minutes from February 2, 2005.

Solid Waste Issues From Previous Meeting: Rick asked to make one amendment for Mike Vogel – requesting that the MOLO breakdown be moved up to this section so he can leave a little early.

Sherrel stated that she did not see in the minutes about the PCB waste issues from the last meeting where Rick was to make a contact. Rick reminded them that he asked for any comments from the board so he could write a letter and he had not heard anything from the group. Sherrel suggested that it be put on the agenda so that it would not be forgotten.

MOLO Costs – Mike Vogel, MSU Extension Service

Mike presented a breakdown of the costs for the MOLO course taught in September 2004. He reported that over the years the cost for the course has increased from being \$5,000 to \$6,000 per year per session to approximately \$20,949 for 28 participants. This was more than what was budgeted for.

Training Budget Resolution

A draft Training Budget Resolution was presented by Mark Nelson – Issues raised in the resolution included; 1) The possibility of left over money in solid waste budget being applied to applied toward operator training at the end of each fiscal year. 2) The need to present to the Legislature the need for funds to be statutorily dedicated to operator training from the solid waste budget. 3) Funding for operator training should increase at a rate similar to any fee increases granted to the program. 4) A set percentage of the solid waste fee revenue should be dedicated to operator training. It was suggested that the dedicate operator training money be placed into a dedicated special revenue account and allowed to accumulate.

Sherrel inquired if the percentage of solid waste fee revenue currently dedicated to operator training was known. Rick said it was never done on a percentage basis, but a fixed amount as allocated for each biennium.

Sherrel asked Rick to put together a spread sheet for the last ten years to present for the next meeting. Stating what the budget was for training, percentage wise.

Sherrel asked about the \$21,000 for the MOLO course, if it was being the most expensive. Mike agreed that it was. Pat Crowley pointed out that with MOLO, one doesn't have to take the class in order to take the exam thereby reducing the frequency of offering the MOLO course. One can certify by taking the examination so therefore if one presented a course that was equivalent in covering the same topics at a lower course rather than going through using the SWANA material. Mike pointed out that those interested in maintaining their SWANA certification do not have to take MOLO again. As long as they keep up the courses offered through the MACo\DEQ Operator Training Contract.

Sherrel asked for everyone's opinion for this resolution. Should it be tabled for the next meeting. If \$80,000 is the number, we need to see what are the best chances of getting it through the Legislature. Whether based on a percentage or flat amount. The suggestion was made and all agreed for Rick and Mike to work on a report for the next meeting as to what the \$80,000 would cover.

Solid Waste Rules

Rick stated that the department was still working on the rule rewrite. Pat stated that he was 75% finished. He said this was considered to be his highest priority. He is looking to have this finished before too long. Then it will go back to the attorney, then Rick, Ed, and then to the SWAC.

Solid Waste Program Third Quarter Activity Report. – Rick

In the 3rd Quarter of FY05 i.e., January through March 2005, there were 93 new applications. These applications consisted primarily of septic pumper license renewals. There were 158 compliance assistances. There were two complaints ongoing and no enforcements requests were made to the Enforcement Division to resolve any ongoing compliance issues. Two enforcement cases were ongoing. The request was made for this to be on the web site so the members could view.

P2 Program Report

Brian Spangler reported on the roll out of the Mobile Glass Pulverizer at the Waste Not Conference at Chico Hot Springs in March. There were approximately 100 participants in attendance at the conference. Brian also attended and made a presentation on the pulverizer at the American Public Works Association Regional Conference in Billings. He informed the committee that he was invited to make a presentation on the pulverizer to the Federal Highways Administration Conference in August. Also, at the Waste Not Conference Mike Alexander from the National Recycling Congress invited him to make a

presentation on the pulverizer. Brian also told the committee of several possible future uses for the glass cutlet produced by pulverizer.

Brian showed a video of the TV commercials that he had put together for asbestos training. The commercials were run in the workshops. They were able to get these done with a grant from the PPA.

Brain also spoke about working on a Department of Energy plan for the use of ethanol and bio-diesel in the state.

Legislative Update

Lou Moore gave the Legislative Update for the P2 Program. A major piece of legislation that affects this group was House Bill 144, by Representative Hoffman, that passed easily. It has updated the rules to have the state to reduce the source reduction used in recycling and composting. House Bill 463, by Rep. Vasey also passed and it extends legislation that was first introduced in 2001. It is a credit for those business that pay air quality fees. Businesses that pay air quality fees and recycle glass, can take a reduction in the amount of fees that are paid. Senate Bill 213, by Senator Story, was the other recycling bill that passed. This extends the credit for businesses that purchase equipment for making recycled goods.

Other bills the P2 Program spent time on were on the energy side. One such bill was the energy performance contracting bills for schools and local governments. There were two bio-diesel bills. Senate Bill 293 by Senator Black, is an ethanol use mandate that required ethanol to be blended into gasoline in the state, at a ten percent blend.

Ed Thamke gave an update on the Legislative bills that was of interest to the SWAC. House Bill 77, which is the septic pumper fee increase passed. The department expects the program will be funded entirely with that budget. There was a statutory amount dedicated to training in that bill. House Bill 44, which dealt with mobile meat processors was widely supported throughout the agriculture community. Department of Livestock will be the responsible agency on this one. House Bill 60 was the methamphetamine clean-up standards bill. This bill authorized the program development, general funding, and authorized 1.5 FTE for methamphetamine clean up issues in the state. Ed reported that the Meth Program be attached within the Waste Underground Tank Management Bureau and administratively attached to the asbestos program. The department will be writing a job profile for an occupation health and safety specialist. DEQ is looking to certify contractors to come in and do the work and what kind of training is there for these certified people. Ed stated that a concern for the Meth Program will be how to communicate with the solid waste management systems where meth-labs are coming or going. Part of the requirements of the legislation is that a web site be posted that has all the busted meth-labs on them so the people can see if they are looking at a potentially handling of contaminated property or purchasing contaminated property. All that information will now be available on the web site. We are working with the Department of Justice. One of the requirements of the contractors is that they communicate with the

local solid waste management system to let them know that a load might be coming their way.

There was a tire bill early in the legislation that we pulled because we need to do a better job in working with tire retailers and recycling facilities. We need to build a better piece of legislation.

Barb asked if during the rewriting of the rules if there is any rule that is associated with the waste management act that will specifically tell residents that they can put medical waste in their dumpster, that addressed non-regulated medical waste. Pat Crowley stated that the infectious medical waste rules are a separate package. Referring to sharps, this has not been addressed as yet. Rick reported that the rule package for this is a companion to the one that is being rewritten.

Rick reported on House Bill 2, SWP will get a grant for \$300,000 for the clean-up of the Columbus tire dump. As July first that money will be available. The proposal required that the tires be removed from the site.

Rick reported on House Bill 48, which was an attempt to remove exemption that power generator facilities have for ash disposal on site. This bill went down because of labor concerns. A state holder group will formed to develop legislation and rules for ash disposal in the next two years.

SWAC Committee Member Replacement Policy

The discussion next was on Sherrel representing MACO. The Committee thought there should be a term policy so there could be more of a turnover. Giving others that would be good at the job a chance for their input. Sherrel will work with Rick on the Solid Waste Replacement Policy. Rick will be working with the whole committee on the PCB waste, he will send an email to everyone and each will reply with a response.

Sherrel made a suggestion to work on a rule for a junk trailer program. Each agreed that Chico was a good example in which to base a rule. Ed stated that these trailers were not eligible under the junk vehicle program. But there are some things being looked at. Ed agreed that this would take some legislation.

Announcements / Training Issues : SWAC will meet again on September 7, 2005 in the Director's Conference Room 111.

Agenda for the next meeting: SWAC replacement for Sherrel; Solid Waste by Pat Crowley; Training Budget by Mike Vogel.

Adjourn: The meeting adjourned at 3:30 pm

