

**Solid Waste Advisory Committee**  
**October 7, 2010**

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:**

Chairwoman, Sherrel Rhys – Lewis & Clark County  
Max Bauer - Allied Waste Systems  
Mark Nelson - Lake County  
Barb Butler – City of Billings  
Tom Barth – Fallon County  
Steve Johnson – City of Bozeman  
Clay Vincent – Unified Disposal District  
Joe Aline – Sheumaker Trucking & Excavating  
Rick Thompson – DEQ Solid Waste Program

**Others in attendance:**

Darrell Stankey – DEQ Solid Waste Program  
Mary Louise Hendrickson - DEQ Solid Waste Program  
Barry Damschen – Damschen Consulting  
Bob Church – Great West  
Bonnie Rouse – DEQ/EPP/LGR  
Sandra Boggs - DEQ/EPP/LGR  
Kathy O'Hern - DEQ/EPP/LGR  
Norm Mullen – DEQ/DIR/LEGAL

**Call to Order:** Sherrel Rhys at 12:40 pm, Helena, Montana.

**The Minutes from the previous meeting were read and accepted.**

**Solid Waste Issues From Previous Meeting:**

- **SW Rules; Infectious Wastes & Financial Assurance**

Infectious Waste Rule – Rick reported that Norm placed it on the back burner due to other cases and workload. There has been some discussion on the levels of kill that is required to ensure sterilization of infectious wastes.

Barb Butler asked if the draft infectious rules included specific regulations for veterinarians. Rick stated it doesn't. Some discussion about whether it should or shouldn't. Rick also stated that he would ask the committee to review the draft rule prior to disseminating to the general public.

Financial Assurance – Norm placed it on the back burner due to other cases and workload. The legal department is responsible for resolving some issues that were raised by staff and hopefully can get back on track soon and finish it. Sherrel Rhys asked what the time frame was for the rule making process. Rick stated that the end of winter is the department's goal. He also stated there is

some urgency to publish the rule before the bureau rule writer retired in June 2011.

- **Status of GHG Monitoring Reporting Rule – Rick passed around Vicki’s update – Attach a copy and summarize.** Barb Butler stated that Vicki Walsh’s summary only dealt with the reporting rule instead of the permitting rule. Rick stated that in his conversations with Vicki she did not mention anything about the permitting rule. Barb commented that the new sources must be on some kind of timetable to get permitted. Max stated that if a facility is permitted then that facility is already reporting. Discussion regarding more clarification from Vicki regarding both reporting and permitting rules followed. Rick will get clarification in an email that he can forward to the committee. Bonnie Rouse volunteered to do some research regarding the EPA’s role in implementing the GHG rule. Rick suggested that GHG reporting and permitting could be added to the MACo\DEQ Special Waste Training scheduled for late January\early February 2011. He will discuss that possibility with Vicki.
  
- **2011 WUTMB Legislative agenda – Ed Thamke**  
Legislative Senate Joint (SJ) Resolution #28 – Environmental Quality Council (EQC) gave no real direction to staff.  
Coal Ash legislation possible  
No WUTMB bills through Governor’s office.  
The possibility of legislatively mandated take back program for expired pharmaceuticals was also discussed.
  
- **Product Stewardship Laws - Steve Johnson**  
Steve Johnson stated that it was difficult to get any commitment from any legislators for any new State programs. He reported that Mark Nelson emailed him the product stewardship information from the State of Virginia as promised.

#### **Local Government and Recycling (LGR) Update**

- **Section activities – Bonnie Rouse**  
11/3 – Plastics Conference at the Holiday Inn in Missoula. Speakers from out-of-state; free and should be good. Sandra Boggs discussed the off-site conference locations in Miles City and Havre and asked for feedback on the selection of those locations. There was some discussion about the cost and increasing the number off-site satellite conference locations. Sandra stated that there was the possibility of checking with the plastic recyclers of Washington to sponsor other satellite conference sites. Reminder postcards for the conference would be going out this week. Recycle Montana is going to have a reception after the conference. The LGR will be doing another Plastics Conference in the Spring of 2011.

There will be another small round of block grants awarded from the remaining Energy Efficiency Conservation Block Grants funds. There will be three \$50,000 grants available emphasizing infrastructure for communities that work together and then two \$25,000 grants. These grants will be available around the first of January.

The Alcoa Bins are still available for schools that want them. The LGR staff has had a difficult time getting them to the schools. Sandra explained that word

about the availability of bins was not getting to the schools. She thought that a good venue to spread the word about the bins would be the annual Teachers Conference in Helena the end of October. Recycle Montana plans on being at the teacher's conference with the bins.

Bonnie Rouse stated the LGR has funding to do C & D waste training in early spring 2011, and 2012. The LGR is also contemplating offering compost training, and Bonnie is interested in knowing if the planned compost rules will adversely affect composting in the state.

Bonnie also stated that the department is working with EPA Region 8 states on a study to develop measurement tools to properly measure the recyclable commodities produced in Region 8. Kathy O'Hern (LGR) and Rick have been involved with the conference calls. Steve asked if glass was included in the commodities that will be measured on a regional level.

Clay Vincent asked if there was any communication between the Department of Agriculture (Dept. of Ag) and the DEQ, and suggested that there needs to be some communication. This is with regards to several hundred 55 gal plastic drums that were collected by the county from area ranchers and farmers and has been stored in a building at the new Havre Class II for quite some time. Clay expressed that he thought the drums would have been recycled by now.

Mark Nelson spoke regarding the gentlemen from the Dept of Ag who is in-charge of that agency's plastics recycling program. Mark stated that the Dept. of Ag purchased a completely inadequate bailer to recycle plastic drums. Mark also stated that bales that are processed by the Dept. of Ag's bailer are being shipped to Texas instead of to local manufacturers. Bonnie spoke about the fact that the LGR staff have not given up on the situation in Havre and are still seeking a solution to the problem. Bonnie also mentioned that there is an outfit in Missoula that will commence plastic recycling around the State in the near future. Steve was asked questions regarding potential product stewardship projects for recycling or reuse of plastic agricultural containers.

## **New Agenda Items**

### **Container Site wall standards – Mark Nelson**

The Montana Association of Counties (MACo) has developed container site design standards which include improvements from State Building Codes. The trustees are going to review the design which includes signage, gates, education to public, etc. Mark said that he is hoping to start the administrative rules with Building Codes and he intends to use the new design standards when Lake County remodels one of its rural container sites next spring. Mark said that the building codes are stricter than OSHA standards.

Max Bauer said that OSHA representatives measured the gates at an unnamed container site. Clay talked about the issues they have at times. Max stated that the OSHA rep said that as long as there is a person manning the site, gates at container sites can be opened.

The topic of lead based paint removal training was discussed. Barb Butler asked who was requiring this training. Ed Thamke stated that it is an EPA rule and it doesn't discuss the disposal of lead based paint. Max also went into more detail. Joe Aline asked if there was some kind of documentation that the operators can get for educational training. It was determined that the training was done by MSU Extension Service Weatherization Department and WTR. Mary Hendrickson talked about the fact that Martin Bey had some of his staff at the Logan Landfill attend the training. Bob Reinke also conducted Lead Abatement training for the Logan Landfill staff.

Sherrel Rhys talked about a pharmaceutical education grant for which Lewis & Clark County is applying. The potential hazards of pharmaceuticals going into landfills and septic systems and getting into the ground water were discussed by the committee. Ed said he has a copy of a study done in Maine regarding the impacts that pharmaceuticals disposed of in septic systems and landfills had on the ground water. He stated that he is willing to share if anyone wants to look at it.

**Agenda items for next meeting.**

- GHG Monitoring Rules
- Legislative Rules
- Product Stewardship

**Next Meeting**

Agenda will be sent out by Rick.

**Meeting was adjourned at 2:06p.m.**