

## **Solid Waste Advisory Committee February 8, 2007**

*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 – 1:37 pm, Helena, Montana.

**Committee members in attendance:** Barb Butler – City of Billings; Clay Vincent – Unified Disposal (Havre); Sherrel Rhys – Lewis & Clark County; Joe Aline – Shumaker Trucking & Excavating; Bob McWilliams – Beaverhead County; Max Bauer – Allied Waste; and Rick Thompson – DEQ.

**Others in attendance:** Barry Damschen, Brian Spangler, Mary Louise Hendrickson, Mark Nelson, Lou Moore, Colin McCoy, Darrell Stankey, Ed Thamke, Tom Livers, Amelia McEwen, from MACo and by phone.

Barb Butler called for the committee to appoint a new member to represent transfer stations as the first order of business. Sherrel Rhys asked that the agenda be modified to allow Amelia McEwen from MACo to be first on the agenda in order to make presentation on insurance coverage for container sites.

Barb made the motion to appoint Mark to represent transfer stations and container sites on the Advisory Committee. The motion was carried.

**Review and acceptance of minutes from December 14, 2006, (with one correction of Sidney's event to increase from 8,000 pounds in 2005 to 9,000 pounds in 2006. The total for all events was 169 tons of electronics).**

**The agenda was rearranged:** Amelia McEwen, from MACo was the first to address the meeting. She reported on the number liability claims at container sites or similar solid waste management systems. There were ten claims in the past year with a total of \$391,783.00 paid on these claims by MACo. These were all county solid waste management systems employee claims.

There was much discussion about building rails around dumpsters for protecting individuals from falling, preventing some of the liabilities at the landfills.

**Legislative Issues:** Ed Thamke gave the update on these issues.

HB 143 -Quarterly reporting requirement for motor vehicle wrecking, passed the second reading in the House, 89-16. Ed explained the current law requires the DEQ to verify the Department of Justice quarterly reporting for motor vehicle wrecking yards. The legislation seeks to change this requirement. If passed, the statute would require the DOJ to verification follow up on the quarterly reports.

HB 144 - Clarify waste management laws. This deals with the infectious waste management act. When the act was created the SWP was still apart of the Health and Environmental Science Department. If passed, the DEQ will be able to write rules specific to the storage and disposal of infectious waste.

HB 261 - Mercury disposal standards for dental clinics. If passed this bill would not have an effect on the SWP.

HB 276 – This is to revise the rulemaking authority of Board of Environmental Review (BER). One section of the legislation proposes that if the Legislature has heard and failed a piece of legislation then the BER revive the concept in DEQ rule making. Another section of the bill outlines a revised makeup of the BER with emphasis being placed on including board members representing industry and/or having other professional backgrounds.

HB 408 – Prohibit tire or hazardous waste incineration for energy generation. This is specific for Holcim. The DEQ is neutral on this bill.

HB 428 – Revision of Junk Vehicle laws. With regard to permanent license tags. What that bill would do is, even if a vehicle had been permanently licensed we could still apply the laws of junk vehicles against it. It has passed the House and now to the Senate.

Senate Bill 261 – This increases the county grants to run the junk vehicle programs. Both This has made it through the Senate and is transmitted to the House.

SB 384 - Another hot topic is the junk vehicle bill to revise abandoned vehicle laws. This would allow private property owners to tow vehicles that have been left on their property for five days or more. This bill would allow any private property owner, if they can prove the vehicle was abandoned for at least five days, to have the vehicle removed.

SB 423 – Revise laws relating to mercury containing products. This will be a product ban and a disposal ban. Meaning that any product containing mercury cannot be disposed or sold in Montana.

HB 167 – Revise the process for adopting revisions to the solid waste management plan.

HB 238 – Fund waste and energy audit for government to reduce operating costs. This is a 3 million dollar appropriation to fund the energy conservation in the state government.

HB 258 – Create tax incentive for recycling. This is a bill for providing a tax credit of up to \$500.00. That is for appliance recycling only.

HB 303 – Allow crushed or recycled glass in state highway projects. This motion failed in the House on second reading.

HB 308 – High performance buildings for community development act. It establishes lead standards. When someone has lead standards, you get points depending on how many recycled building materials are used in the construction. This bill especially targeted government building.

HB 555 – Public education program for recycling and electronic waste disposal.

LC 1185 – Revise recycling laws.

LC 1860 – Increase solid waste disposal fee to fund recycling. This bill was introduced in the last session. The draft bill is requesting twenty-five cents a ton which would go to a recycling commission, an independent body appointed by the governor. The commission consisting of five people would make the decision on how the money would be appropriated to various recycling ventures around the state.

Ed stated that he would not be able to come to the hearing on this bill, but would like for Rick or someone from our staff and someone from SWAC to be there to testify before the House of Natural Resources.

A motion opposing LC1860 in its present draft was made and passed by the SWAC.

Mark, Barb and Max will be sending lobbyist to the February 19, 2007 Legislature for the recycling bill.

Ed introduced Tom Livers, then presented the question of, “Is it appropriate for the Solid Waste Advisory Council to provide testimony at the legislature.”

Tom stated that if the Committee takes a position on a piece of Legislation, the protocol is to pass a motion, then DEQ would work with the Governor’s office to forward that position and seek approval to advocate for or against a particular that bill.

**Solid Waste Issues From The Previous Meeting:**

- Licensing of E-Waste Events and E-Waste Solid Waste Management

Mary presented the summary of the program licensing processes. There are potentially three different parts of this. 1) The E-Waste collection events. 2) E-Waste collection facilities 3) E-Waste processing facilities.

- Baled Tire Rules

Rick presented a draft copy of the rules for each to read. A suggestion was made that maybe a mobile shredder could be used to shred tires around the state similarly to what is being done with glass. Barb stated that there was a bailer for tires. The discussion of just being able to landfill these would solve problems.

- Handling of Refrigerators at Solid Waste Facilities:

Rick asked if the Committee thought that we could move ahead with a policy that required the separation magnetically sealed white goods from the latched ones.

Rick asked for a good easy way to do an inspection that is consistent with our policy for future reference by the inspectors. So there isn't any misunderstandings. Colin tried to explain there should be a rule concerning how kids can get closed in these, whether magnetic or latched. The operators wanted a better way of dealing with their violations at the time the inspector is at the site.

Rick stated that it be uniformed that if the refrigerator doors are removed there would be no violations. That would be across the board. Colin stated the law that concerned other appliances, not only refrigerators.

- Rendering in MT and Increased Rendering Wastes in Class II Landfills

Ed reported that the Governor's office has scheduled a meeting with a guy out of Spokane that did not show up. The question was raised if it was okay for the landfills to be opening dead animal pits again. The observation was that this could be, but scattered throughout the landfill rather than just one pit.

Ed corrected his quote for HB 607, being scheduled for February 19. It has not been scheduled at this time. The mercury bill was scheduled for February 19.

Rick stated that the next training would be HAZWOPER for the week of April 23.

**Announcements / Training Issues:** S.W.A.C. will meet again on April 12, 2007 at 1:30 pm to 3:30 pm in the Director's Conference Room 111.

**Agenda for the next meeting:**

**Adjourn:** The meeting was adjourned at 3:37 pm.