



CITY OF BILLINGS

PUBLIC WORKS DEPARTMENT

Environmental Affairs Division

2224 Montana Avenue
Billings, MT 59101
Office (406) 657-8230
FAX (406) 237-6291

October 19, 2016

Mr. Bob Habeck
AAG Facilitator
MT DEQ
Helena, MT 59620

RE: Stakeholder Response for DEQ Asbestos Control Program and Asbestos Advisory Group

Dear Mr. Habeck:

On behalf of the Solid Waste Advisory Committee (SWAC), I have prepared responses to two of the nine Asbestos Advisory Group (AAG) Recommendations that are of particular concern to Montana landfill owners and operators. The AAG's recommendations were presented to SWAC members during an October 6, 2016 quarterly meeting with the MT DEQ. The following comments to Recommendations 3 and 6 were reviewed and approved by SWAC members attending the October meeting. Although the Billings Regional Landfill will be referenced specifically, the gist of the responses below is shared by SWAC as a whole.

R3. DEQ should encourage landfills, when applicable, to use a standard form or method for customers to describe their load as non-asbestos prior to disposal.

Most Montana landfills accepting friable and/or non-friable asbestos for disposal require certified asbestos haulers to complete an Asbestos Waste Manifest prior to disposing **regulated** asbestos containing material (ACM). These forms typically identify the waste generator, ACM type, quantity and require the signature of the transporter. The forms are either completed in advance or at the scale house and are typically included in the landfill's Operation and Maintenance Manual.

What seems to be a point of contention with some asbestos inspectors and abatement contractors is the fact that some ACM is undoubtedly disposed of improperly in landfills and container sites. This practice obviously hurts those contractors and consultants who are following the regulations. SWAC members are cognizant that "bad apples" out there will sneak ACM under other trash in order to avoid the cost and hassle of removing, transporting and disposing ACM correctly.

However, SWAC does not agree that landfill/transfer station/container-site personnel should be responsible for requiring the driver of every incoming car/pick-up truck/garbage truck/compactor/trailer to stop and complete a "no-asbestos" certification form. During the summer months at the Billings Regional Landfill, for example, the line waiting to be weighed at the scale house can be backed up for over half a mile as it is. More importantly, the driver of a city or county garbage truck/compactor/semi-trailer has no idea what is in the load and would be unable to "certify" that it's asbestos-free. SWAC members are in agreement that requiring disposal site-personnel to be the ultimate enforcement arm of the Asbestos Control Program (ACP) and DEQ Solid Waste Program regarding ACM is unrealistic. The enforcement of proper ACM management should not begin at the end point. The difficulty factor of implementing this recommendation is by no means LOW, despite the DEQ's opinion.

R6. DEQ should work with stakeholders to encourage an asbestos inspection check-box system for any agency that issues building or related permit actions.

SWAC members strongly concur with the AAG's recommendation that proper ACM management should start at the beginning during the permit phase. Requiring property owners to either certify that their renovation/demolition project does not contain ACM or that asbestos abatement has been completed should be mandatory prior to the issuance of applicable permits. A check-box system requiring the applicant's signature makes the most sense. A copy of this form could be presented to disposal-site attendants instead of requiring paperwork at the end. Although adding more paper work at the onset of a construction project may be met with some resistance by local building officials, the difficulty factor for implementing a check-box system, in our opinion, would be LOW. We understand that the communities of Missoula/Missoula County and Miles City have already implemented this system for tracking and managing ACM. Such a system should be mandatory in communities with local government Building Departments.

SWAC members thank you for your time in considering our concerns and opinions when finalizing the AAG's recommendations for submittal to Mr. Tom Livers. Although we represent just one faction of the stakeholders involved in ACM management, our role is vital. We believe solid waste facilities would be better served by having ACM documentation completed prior to arriving at the disposal site.

Sincerely,



Barbara Butler

On behalf of:

MONTANA SOLID WASTE ADVISORY COMMITTEE

Barbara Butler
Environmental Compliance Coordinator
Public Works – Environmental Affairs Division
Billings, MT

Mark Nelson
Manager
Lake County Solid Waste
Polson, MT

Clay Vincent
Sanitarian/Planner
Hill County/Unified Disposal Landfill
Havre, MT

Joe Aline
Shumaker Trucking and Excavating
Great Falls, MT

Jim Simon
District Manager
Gallatin Solid Waste Management District
Bozeman, MT

Roger Bridgeford
Manager
Montana Waste Systems, Inc.
Great Falls, MT

Brian Hohn
Solid Waste Manager
Broadwater County Landfill
Townsend, MT

Dave Duffy
General Manager
Tri County Disposal
Helena, MT