

Solid Waste Advisory Committee December 1, 2004

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: Mark Kottwitz – 1:35 p.m. There was no quorum.

Committee members in attendance: Mark Kottwitz – City of Bozeman; Barb Butler – City of Billings; Tom Barth – Fallon County; Max Bauer – BFI Missoula, Bob McWilliams – Beaverhead County and Rick Thompson – DEQ.

Others in attendance: Ed Thamke, David Seeberger, Mike Vogel, Brian Spangler, Barry Damschen, Dave Prunty, Lou Moore, Mary Hendrickson, Jim Wilbur and Mark Nelson.

Mark was appointed to preside over the meeting. The September 15, 2004 minutes were read and discussed, but were not approved due to lack of a quorum.

Rick explained why Doug Sparrow could not attend and explained how the meeting would be conducted, since there would be no quorum. Barb questioned if Sherrel should be replaced, Rick stated that she probably should be, but to wait until there was a full quorum.

Solid Waste Issues From Previous Meeting: Rick explained that he could not contact Dan Bench and suggested that a list of questions be forwarded to Dan in writing, hoping to get a better response from him. Stating that the local guys did not want to take up the PCB issues. Rick volunteered to write a letter to the EPA Region 8 Headquarters in Denver. The local EPA contact was reluctant to attend the SWAC meeting because he had not been involved with the PCB regulations for quite awhile. Rick thought it would be at least 30-days for a response.

All agreed to have questions to Rick by December 30, 2004, to send to Denver.

Still under Items 3: Rick presented the time-tracker and explained the chart was based on the accumulated time for the staff members for each facility type. Also included were the sub-categories including administrative support, ground water, closure-post closure and complaints, etc, for each class. Rick indicated that the data presented in charts represented the time span from July 2004 to the end of October 2004. This represented one-quarter of the year.

Barry Damschen questioned the amount of time involved with ground water as represented on the chart. He questioned how the ground water reports are handled and why the SWP duplicates the effort of entering the reports into the database as the analytical labs already did it. Mr. Damschen suggested that the SWP and the analytical

labs develop some form of direct transfer of the data from the labs to the DEQ instead of entering the data a second time. Pat Crowley explained what is taking place with department's database, and why we need our own information entered.

The question was asked if there would be changes on the license renewal forms that are on the Internet. Rick stated that the possible changes would be the editing of the year and the fiscal year and Brian might have suggestions for recyclable materials to be added to the form. The question was asked if the forms can be emailed in the future or will they continue to be sent as hard copies. Rick stated that the staff is working on electronic signatures so the forms could be returned to the SWP by email.

The next item of discussion was the solid waste training budget. At the previous SWAC meeting there was discussion about a resolution for Ed Thamke to propose to Jan Sensibaugh. The proposed resolution would indicate that the SWAC recommends that a percentage of the solid waste fee revenue be dedicated to operator education and training. The committee had previously agreed to work on the wording for this proposal and Ed anticipated that the committee would have had something to present. Rick asked/suggested that the meeting be used to work on the wording for this proposal. The committee declined this suggestion.

Rick pointed out that the FY06 – FY07 training budget was returned to the FY01 – FY02 funding levels of \$80,000. Rick also announced that an additional \$15,000 was added to the FY05 training budget. He explained that the additional funding would allow the addition of two classes in Spring 05, as well as to reimburse MSU Extension Service for the overage costs incurred at the September 04 MOLO in Billings.

Mike Vogel stated that as the budget is being reviewed, the increased cost of doing business should be taken into consideration. For example some of the overages in the past were paid for by MSU without reimbursement. Mike stated that the September '04' MOLO course cost over \$24,000. The reason is that SWANA is no longer assessing their fees by cost per participant. Mike went on to state that there were thirty-two participants, as it was decided that we would try to get as many participants as we possibly could. For everyone that sat through the class whether they took the exam or not, the cost was approximately \$610.00 per participant. In addition, for anyone that took the exam, it was \$125.00 per participant. There were fifteen participants who took the exam. In summary, Mike stated that not all the costs associated with putting on the training courses are covered by the funds provided by the DEQ via MACo. Mike believes that the costs of MOLO would have been higher if formal SWANA trainers had participated. The question was asked if the training budget in 1991 was \$40,000. Rick answered using the information from the SWP files. The initial training budget was \$36,500 and it went up to just under \$38,000 and stayed at that level until it was increased to \$40,000 in 2001-2002. The budget was subsequently reduced to the current level in FY04 and FY 05.

Rick was asked the question of 'where did the additional \$15,000 come from for the additional classes in FY 05. He explained that it was a result of the recent fee increase. Max Bauer asked if starting July 1, 2005, the training budget would be returned to

\$40,000 per each year of the biennium. Rick confirmed. Max made further inquiry as to what it would cost to resume putting on four to six trainings a year. Mike explained that those cost estimates were submitted to the committee at a previous meeting.

The suggestion was made by the committee that Mike do the initial computation of the training costs and the committee could possibly add to it. Mike made a counter proposal for the committee to determine what the training needs for operators are and then develop the training courses based on the amount budgeted by the department for training. Mike also suggested that training development be based on real competencies that would be ideal for landfill operators to perform their duties, then craft trainings on the competency requirements.

Barb asked if Mike would be able to give the cost of MOLO for this year, as well as the 8-hour OSHA, 12-hour OSHA and the 24-hour OSHA, refrigerant training, using the real numbers that exist and possibly adding 25% on top of that. Mike agreed to do that.

The question was asked if there is a need for a certification program for operators. Mike said that there is a perceived need for certification based on the survey of owner/operators, but not necessarily SWAMA certification. He suggested that there should be a Montana MOLO created by the DEQ in conjunction with the SWAC and other interested parties in the consulting community.

In looking at the other options, certification courses all propose hands-on training. The point was spoken that all operators like getting together so they could talk and learn from one another. Max was concerned that doing other options would cut operator training more and they would not be getting the sufficient training if other training options were used. Rick explained that the DEQ was trying to restore and improve the training offered and not cut. Rick also stated that the training offered needs to be diversified to include all facility types.

Mark asked that there be a draft resolution on the funding for training. Mark Nelson was asked to write the first draft of the resolution for the next SWAC meeting.

Items 4: P2 Update - Brian Spangler gave the dates on the public comment period for Integrated Waste Management Plan (IWMP) as well as where the IWMP could be found online. Comments will not be published until after the Legislature and this would most likely be during the summer.

There will be a 'Waste Not' Montana Conference April 12 & 13, 2005, at Chico Hot Springs working with Head Waters Cooperative Recycling and Yellowstone National Park. This information will be on the web.

The mobile glass pulverizer was scheduled for delivery in October, but Headwaters made a decision to extend the transport trailer. The meeting at Chico Hot Springs will have some dignitaries there and the media is anticipated to give some exposure to this project.

Barb asked where the pulverizer would be parked when not in use. Brian responded that it would be under Headwaters Cooperative control. He was not sure as to where they would park it. He explained that the permanent location will be decided, but at this time it is based out of East Helena. As for a regular storage place, for now it would probably be in Boulder.

Legislative Update: Lou Moore stated that Kristine Kauffman would be sponsoring the IWMP bill. The recycling tax credit and tax deduction extension was removed from the department's legislative packet in September by the OBPP. It was determined that the credit or deduction was not used often enough.

Ed Thamke updated the committee on the proposed legislation that would remove waste tires as a component part of a junk vehicle. John Bruggeman will be sponsoring that bill in senate. As an aside, Ed spoke about the septic pumper fee increase. He stated that the SWAC has been a template for the septic pumper professionals.

The other solid waste related bill Ed announced was HB 48. This bill would remove the existing exemption for electrical generating facilities from the solid waste management act. Sue Dickenson from Great Falls will be sponsoring this bill in the House.

Update on Rules from Pat Crowley: Rick asked for any comments from the committee on the new rule packet that was sent to them before it goes to the Secretary of State. There were no comments received. The next phase of the rule writing effort will be the drafting of the Statements of Reasonable Necessity and transmittal to Secretary of State's Office for review and publication for general public comments. The anticipated transmittal date is early February 2005.

Next was the update on MOLO: Mike Vogel confirmed the courses for the up-coming training sessions. The proposal is to offer the 8 – Hour Hazwoper School and the Refrigerant Extraction School back to back in the same week. Most likely it will be in Billings at the College of Technology. These will be two separate classes during the same week. It was agreed by the committee and audience that the last week of February to the third of March would be a good time to conduct the training.

Announcements / Training Issues:

Agenda for the next meeting:

Adjourn: 3:30 pm.

Time for next meeting – Wednesday, February 2, 2005, Room 111 at 1:30 p.m.