

## Solid Waste Advisory Committee Meeting Minutes

July 12, 2018

**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:**

Barb Butler – Major Public Class II Landfills  
Jim Simon – Compost Public/Private  
Mary Hendrickson – MACo/Class III Landfills and Burn Sites  
Mark Nelson – Transfer Stations  
Joe Aline - Landfarms  
Rick Thompson - DEQ Solid Waste Program

### **Committee members not in attendance:**

Dave Duffy – Private Intermediate Class II Landfills  
Vacant - Small Eastern Class II Landfills representative  
Roger Bridgeford – Major Private Class II Landfills  
Amy Ferguson – Public Intermediate Class II Landfills

### **Others in attendance:**

Andrea Staley – DEQ solid waste  
Emily Ewart – DEQ Waste and Underground Tank Management Bureau  
Matt Elsasser – 406 Recycling  
Glen Rafish – BSB landfill  
Barry Damschen - Barry Damschen Consulting  
Julie Ackerlund - DEQ Air Quality Bureau – Planner

- **Meeting Called to Order at 1:35 p.m.**
- **Review and Approval of Minutes**
  - The minutes from the April 5, 2018 meeting were approved. Barb Butler moved to approve, Joe Aline seconded
- **Introductions**
- **Select a new chair**
  - Mary Louise Hendrickson was selected as the new chair to replace Brian H; Rick Thompson chaired this meeting.
- **Agenda Items from Previous Meeting**
  - Solid waste training update – Rick Thompson

- Manager of Landfill Operations (MOLO) training, September 11 – 15, 2017 at a cost of approximately \$28, 723.36. There were 23 attendees.
- Landfill Efficiency Training with Neal Bolton, Oct 10 - 11, 2017, in Bozeman. The cost was \$8,233.00. There were 16 attendees.
- Neal Bolton presented a Health & Safety Webinar on Feb 28, 2018, at a cost of \$1,200.00 Seventeen participants logged to the webinar, with some log-ins having multiple attendees. Total attendance was estimated to be 35.
- Building Next Level Performance Capacity & Personnel Development on May 23-24, 2018, at a cost of \$3,384.35. Thirteen operators attended this training
- Approximately \$43,000.00 total spent on training in FY18. \$40,000 was budgeted for the fiscal year.
- The chair called Call for training ideas:
  - Barb Butler: Fred Collins mentioned doing storm water training. SWPPP-specific training is desired. Glen – they get training 2 hours per year on this, that training could be piggybacked onto another training. Would likely take a half day. Stephanie Beckert, Great West Engineering cited administrative rule which states that SWPPP training must occur annually, and she read the permit requirements which are site-specific. Rick Thompson will talk with the bureau chief for that area and get training information/find out what our options are. The consensus in the meeting was that there's enough general information to warrant a training; we just need to know if that would satisfy the requirements.
  - Mary: Montana Association of Counties (MACO) or Department of Labor and Industry (DLI) could do a canister site training (design & safety). Half the day could be design; operational requirements need to be covered also. This training could tie into storm water, leachate control, and household hazardous waste trainings. MACO could be asked what training(s) that organization deems as needed to enhance local government solid waste facility operations.
  - HAZWOPPER training is always needed; they'd like to see it more than once per year. Or, instead of HAZWOPPER, train about specific waste streams. Mark Hall is the contact for HW training information.
  - Training on how DEQ goes through the licensing process and how external agencies and internal programs are involved in the process. This could tie into record-keeping. Montana Interactive offers a lot of training on record keeping, and Ed Thamke – said he would try to invite a representative from Montana Interactive to a future SWAC.
- Rules update – TENORM Rules and Coal Combustion Residual (CCR) – Emily Ewart
  - Work group meeting with non-governmental organizations, environmental groups, and industry to get input
  - The goal is to have the final draft rule completed this fall.
  - Rick noted lack of knowledge about TENORM is a problem; it's complex and we need to ensure the information makes sense to lay people
  - We want to educate the public more (e.g., TENORM is not nuclear waste)

- Julie Ackerlund
  - Midpoint performance standards
  - Emission guideline came out two years ago and she recently read environmental defense fund may sue the EPA for federal implementation plan. If the law suit is successful, the federal government would come in and regulate if states failed to do it.
  - So, we're in limbo due to EPA changes. In 6 months, may pick up working on out state plan but for now just waiting to see what happens at the federal level.
  - Julie has all the information she needs re: MT facilities, although that may need updating.
- Update - solid waste licensing flowchart – Rick Thompson and Ed Thamke
  - MEPA, enacted in the 70's, reviews materials as part of application process. We realized we needed to coordinate more with MEPA and legal to provide comprehensive and thorough review while adhering to timelines.
  - The flowchart was hung on the wall. Every step, and those accountable, has been documented, guiding the application through the process. DEQ MEPA and Legal reviews are now scheduled and being done according to a timeline. We must be aware of the applications that will consume extra time/resources
  - Rick went through a power point presentation of the licensing process
    - Q: assume we're adopting the swim lanes; are MEPA and legal signing on to committed timelines? A: yes; we just did one where we used a Gantt chart to designate timelines. MEPA had four days, and was done in four days. Everyone involved has been included in the entire process.
- Fees - Rick Thompson and Ed Thamke
  - We're projected to be in the red by 2020.
  - Ed doesn't want to have this discussion until we've implemented the process changes. Then, we will have an idea of what fees to propose. We gained some time due to staff vacancies, which created savings and bought us time to see what the process changes do to our expenses, revenue, etc. Ed thinks we're maybe a year away from proposing fee changes.
  - Mary recommends when MACO has annual meeting with commissioners, someone from program should go talk to them about their responsibilities regarding an application. The perception is that they do not fully comprehend what their responsibilities are.

- **Solid Waste Section Updates**

- Licensing – Rick Thompson
  - Renewed 146 licenses, 3 were reviewed 1 recycler & 3 composters not done/didn't send in renewal
  - Rick's meeting with folks tomorrow regarding Billing's application for expansion
  - We are working on response to comments from Yellowstone Disposal. The FAA is now involved and we're waiting to see how that resolves
  - Sanders County should be done by Aug 31

- NMJRD EA is being worked on now
- Q: is Tire Depot Gantt charted? A: no
- Inspections – Rick Thompson
  - SW, 40 have been done; about half of what we'd done at this time last year
  - STP - 10 have been done
- Materials Management – Rick Thompson
  - No one is available to report
- Enforcement (for last quarter) – Rick Thompson
  - Complaints: 20 JV, 2 STP, 42 SW
  - One JV complaint and 10 SW complaints were closed
  - There were 2 district court cases – one was an appeal by Payne Logging of their revoked license. The appeal was denied, and they sued the department again for refusing to renew the license. The other case was in Butte, alleging that the Asbestos Control and Solid Waste Programs were not adhering to their responsibilities as required by statute. The case was subsequently dismissed.

- **New Agenda Items**

- Water pollution control advisory council WPCAC presentation and solicitation for board member – Hanna Riedl
  - will be moved to the next agenda; they want someone from solid waste (composting) for their board. Barb said they'd be better served with someone from a wastewater treatment plant. Wouldn't have to be a SWAC member.
- ADDENDUM - Assign a SWAC member to fee discussion
  - Tabled indefinitely

- **Round Robin Discussion**

- Barb Butler– had some May & June rain caused damage they'll be repairing from for a while. They are involved in 15 lawsuits
- Jim Simons – super busy, constructing phase 4 cell expansion should be lined and done in October. Liner installation should take 3 weeks. Hoping to finalize land swap with DNRC in Sept or Oct. Growth: almost 16,000-ton increase over last year; there are 3000-3500 new county residents each year. On April 28 over 1000 people used the two facilities
- Mark Nelson – busy tourist and construction season. Their counts are up at all sites. They've started hauling transport trailers to Missoula. Recycling revenue has tanked and the recycling service/transport is less available and more expensive. Recycling companies are closing. Community interest is very high and Mark's been requested to speak to various groups about it. Waste tonnage is up.
- Mary Hendrickson – lots going on in Broadwater County. Proposed resource recovery facility for tires failed to get a required recycling license and the Board of Health rescinded their approval. Mary asks are there are known County ordinances prohibiting this kind of facility? There are no zoning ordinances – couldn't they pass any desired ordinance? Prohibitive ordinances can't be passed retroactively. Putting together SOPs for transfer station. Broadwater County has 5 container sites; some

of them are getting out-of-county garbage. They're going to track use to push for monitoring at all sites. Also, long-term plan to move the transfer station is being initiated. She's looking for roll-off containers.

- Joe Aline– moderate, steady activity
- Stephanie Beckert – nothing to report
- Bob Church – kudos to the Department for expediting Sanders County EA. Is analyzing Jefferson County's use, they're having congestion problems. There's also a huge amount of wood waste (25% of waste brought in at Montana City), they have to start charging for that.
- Glen Rafish – busy, they're looking to fill an open position
- Barry Damschen – Highline folks had a rough winter; he was unable to get to some of the methane wells he monitors. Has two small projects going on this fall

- **Agenda items for next meeting**

- Rick will update committee about SWIPP training/maybe get Jon or Rainy here
- Montana Interactive – Ed Thamke will see if they can come and talk about training resources
- Rick – Gantt chart demonstration and discussion about utilizing this tool to keep stakeholders informed
- Legislative issues

- **The next SWAC meeting will be Thursday October 4, 2018.**

- **The meeting adjourned at 3:44 p.m.**