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Waste Programs Division Solid Waste Rule Development Process Chapter 13 Solid Waste Management Draft (9/10/07) Stakeholder Input (received 11/30/07 through 1/7/08)

NOTES

Workshops were held to obtain stakeholder input on the draft integrated solid waste rule in Phoenix, Flagstaff, and Tucson on October 30, and November 1 and 8, 2007, respectively.

A list of issues and concerns that was identified at these workshops, as well as written stakeholder comments received through November 29, 2007, is available at http://www.azdeq.gov/environ/waste/solid/download/draft_rule_stakeholder.pdf

The stakeholder comments below were received via e-mail from November 30, 2007 through January 7, 2008. A list of contributors is attached to this document.

General stakeholder comments and questions:

- Synagro is a biosolids recycling company and operates a compost facility and land application in Arizona. It was my understanding that biosolids recycling regulatory compliance would remain under Water Quality. Is this correct?

Definitions

- Do these definitions take precedence over any other definitions in above reference ARS sections?
- Bulky waste – Are there any size limits on trees, branches, stumps? What is considered large? Please define?
- Drop box facility – What if the facility is staffed as part of another type of facility?
- Financial statement – What is the proper term for changes in equity?
- Incompatible waste – What type of waste are these and how does RCRA subtitle C and D define this term?
- "One hundred-year flood" or "base flood" used in definitions. However the document refers to FEMA Flood Plan, which is it?
- Solid waste – there is no definition.
- Tipping floor – insert a definition.
- Waste disposal rate – Is this not a variable subject to changes in the social, economic environment parameters?

Article 3

Section

R18-13-307

- (D)(2) – Does this apply to a MSW landfill that accepts white goods? What does it mean to cover bulky waste? Does this imply that scrap metal collection sites needs to be covered and placed on an impervious surface? Or does scrap metal fall the CFR 40 rules?

Article 4

- Need an approved alternative for Alum Sludge (possible approved daily cover for landfills or considered for disposal at C and D sites). Currently treated as a Special Waste although in the current ADEQ definitions it is considered a Solid Waste. On February 17, 1998 the ADEQ Director approved the exception for bio-solids used as a fertilizer in the definition of solid waste. This would be a good time to add the alternatives for Alum Sludge.

Section

R18-13-401

- What about facilities already in operation, have facility and operation plans approved by ADEQ? Does this require entire new plans or just revision? How long does ADEQ have to accept and approve the plans? What if the facility is not able to obtain compliance because financial and budgetary restrictions? What if a small rural community lacks the technical and financial assistance necessary compliance? Is ADEQ prepared to take over the operation because the cost of compliance exceeds the ability of the community to comply?

R18-13-402

- (E)(4) – What best management practices?

R18-13-404

- (A) – Does the operation plan have to be submitted to ADEQ? What about the current approved plan? What is the approval timeline for the operation plan?
- (B)(15) – Specifically what type of BMP and guidance is ADEQ willing to provide?
- (B)(18) – What does this mean? How far away are we concerned about? What is implied?

R18-13-405

- (B)(1) – What's the level of detail? What guidance is ADEQ providing?
- (B)(3) – What's the level of detail?

R18-13-407

- (A) – Typo – remove (.)
- (A) – When do the run-on/run-off controls structures have to be in place?
- (B)(2)(b) – Can it be used as dust control?

R18-13-408

- (A) – What is the level of detail required? What guidance will ADEQ provide at proper methodology?
- (C)(1) – Is a video camera monitoring acceptable?
- (C)(4) – Where is the report going to? Can it be e-mailed, if so to whom?
- (C)(5) – What are the storage area specifications, description and criteria?

R18-13-410

- (A) – Article 6 includes the entire section, but a solid waste facility handles, transports and stockpiles soil. Dust control should follow the elements identified in Articles 604; 605; 606; 607; 610; 611 and 614 the other verbiage deleted. Section 602 Open burning is addressed below in section B; 608 deals with mine tailings; 609 deals with Agricultural; 611 deals with Ag PM10; 612 deals with definition for 613 and 613 is PM 10 for Yuma Agricultural. WHAT’S CONSIDERED TIMELY?
- (B) – Article 15 is the Fire Management Section and the term exempt and exemption are not included in the text. Therefore, what is the purpose of the reference there are no exemption allowed.

R18-13-411

- (A)(3) – Thus a rollbox is not allowed at a landfill? If so, under what conditions, design specification and BMPs?
- (B)(4) – Duplicate number!
- (B)(4) – Does this include waste oil containers?

R18-13-412

- (C)(3) – Contact number and e-mail?
- (E) – This should be part of employee training program?

R18-13-413

- (E)(3) – What’s the standard for decon?
- (E)(5) – What is considered unauthorized? Examples?
- (F) – Who is qualified to make this decision?

R18-13-414

- (A) – Define standard? Who makes the determination and based upon what hard science?

Article 5

Section

R18-13-501

- (C)(2) – What does “any article applicable to that type of solid waste facility” mean?
- (D) – What are the BMPs for those type of facilities?
- (G) – Identify what articles are specifically applicable to the different types of waste?

R18-13-502

- (B)(9) – Previously stated within 2 mile radius! Is that still applicable? What is the surrounding area?
- (C) – ARS 49-250 exempts stormwater basin & MSW landfills from app? This section duplicates a significant amount of information and data already provided to ADEQ in 1998 & 2003 facility & operation plans. Can we just reference those sections?
- (C)(1) – Define numerous? What is a discharge?
- (C)(7)(a)(i) – What is an acceptable demonstration?
- (D) – What is a water balance modeling for a landfill in an arid, semi-arid environment?

R18-13-503

- (C) – How long does the approval take?

R18-13-505

- (C)(6) – What if the storm water run-on run-off is still under construction or being phased in?
- (C)(14) – So the use of GPS and “it” to increase compaction is a type iii change? Is there a % range that would not require a notice? What if you replace a small compactor with a larger compactor, thus increasing the compaction rate? What if you change the rolling pattern? What if you change the brand of equipment? What if you the change the wheel pattern? What if you do not know exactly what the compaction rate is? What if the compaction ratio varies by season? Thus a modification to a compactor, new wheels or change in equipment size that changes compaction is a Type III change?

Article 6

Section

R18-13-603

- (A)(2) – Protection how? Provide guidance?
- (A)(3) – What’s the definition of an all weather road?
- (B)(2) – What is the minimum for leachate and washwater collection?

R18-13-604

- (B)(1) – The City of Flagstaff operates a household hazardous products collection center that also accepts CESQG hazardous waste.

This facility falls under an Intermediate Solid Waste Handling Facility in the draft Solid Waste Regulation revision. The revision states liquid wastes stored in a container is labeled and dated with the date the waste is received. Is this a requirement for household and CESQG waste from federal regulations? I tried checking the federal regulations but it was taking too much time to figure out. We receive hundreds of liquids in original containers on a weekly basis and some are not labeled. We currently do not label unlabeled containers except

for taking a pH measurement. I also believe most of the liquid containers we receive are not considered as hazardous waste such as household cleaners, latex paints, flammable paints, etc. These are all store bought items. If we were required to label and date when received for all liquid containers it would be a large change to our current operation. There are EPA exemptions for handling household hazardous waste and CESQG hazardous waste that I would think exempt such a level of dating and labeling.

In summary, please confirm federal requirements specific to these issues and provide further clarification in the next version of the regulation.

Article 7

Section

R18-13-703

(A)(2) – Define a tipping floor? Provide guidance on providing protection?

(C) – Thus are open top box containers allowed at landfill or not?

R18-13-704

(G)(2) – Other than educating, how can you make sure it will be brought in break proof containers?

(E)(3)(b) – What is the appropriate method of cleaning and disinfecting?

(F) – Not practical in rural communities? So a piece of wood, metal must be bagged and tied?

R18-13-705

(D) – Is call 911 sufficient in case of emergency?

Article 8

Section

R18-13-803

(A)(7) – How?

(A)(8) – Define an all weather road?

(C)(2) – What is the minimum level acceptable?

Article 9

Section

R18-13-902

(B)(2) – What size of floodplain?

R18-13-903

- (A)(1) – Thus a composting facility must obtain an APP permit? Does this include in-vessel composting such as botanical gardens, zoos, etc?

R18-13-905

- (A)(9) – Ultimate use depends on quality and may not be known until sample products can be processed!

R18-13-906

- (A)(3) – Define site ground cover? What type of cover? Thickness?

Article 10

Section

R18-13-1001

- (B) – Confirm that this does not include drop sites or change the language to what it is today. (Recycling facilities located off-site that are used for collecting recyclable material, that have a storage capacity of 180 cubic yards or less and where recyclable material is stored for less than 90 days. Recycling facilities located on-site that are used solely for collecting and storing recyclable material for less than 180 days.) Another option would be to make an exception for HHW collection.
- (D) – Storing tires needs to be defined. Drop sites for recycling would be a problem.

R18-13-1003

- (1) – One mile, two miles which is it? What if the recycling facility is already in operation and within one mile of a learning center?
- (1) – The recycling facility shall not be located within one mile of a school. This will be a problem for our drop site and schools that are trying to recycle.
- (5) – Need to have an exception for HHW events.

R18-13-1004

- (1) – Does a recycling facility need an APP?
- (3) – Provide citation? What standards?
- (4) – Define all-weather road?

R18-13-1005

- (A)(1) – Capitalize title?
- (D) – Add “subtitle” before the letter C.
- (D) – Capitalize title (subtitle).

R18-13-1006

- (B)(3) – Does a sprinkler system for fire fighting equipment?
- (B)(4) – What if weather prevents the collection?

R18-13-1007

- (2) – Add “leachate collection systems” after “drain ponds and...”
- (2) – When are recycling facilities required to have leachate collection system?

Article 11

Section

R18-13-1102

- (2)(a) – FEMA!
- (6)(d) – CWA!
- (7)(c) – What if the facility is already there? Define an adverse impact and how it is measured?

R18-13-1104

- (D)(3) – Insert “base” before “liner system.”
- (G)(2) – Does this prohibit bio-reactor landfill?
- (G)(10) – Insert “not” on fourth line prior to “support combustion.”
- (H)(1) – What is considered winter frost? Please define?
- (H)(6) – Is this average annual or peak daily?

Article 17

Section

R18-13-1704

- (C) – Local health departments do not have the authority to suspend a driver license, does this authority rest with the MVD?

Article 18

Section

R18-13-1801

- (A) – Can a multiple facility submit a single financial assurance?

