

**MINUTES**  
**REGULAR SCHEDULED MEETING**  
**SOLID WASTE MANAGEMENT ADVISORY COUNCIL**  
**9:00 A.M., October 12, 2000**  
**Oklahoma Department of Environmental Quality**  
**707 North Robinson**  
**Oklahoma City, Oklahoma**

These Minutes are a summary of the meeting held October 12, 2000, as required by the Open Meeting Act. The meeting was recorded and the tapes are available for inspection and copying at the Waste Management Division Office located in Oklahoma City, Oklahoma, 405-702-5213.

This meeting was convened in accordance with the notice of regularly scheduled council meetings on file at the Office of the Secretary of State as required by the Open Meeting Act, Section 311 of Title 25 of the Oklahoma Statutes. This notice was filed with the Secretary of State by December 15, 1999. The agenda for this meeting was posted on the entrance door of the Oklahoma Department of Environmental Quality, 707 N. Robinson, Oklahoma City, Oklahoma, 24 hours prior to the meeting in accordance with Section 311 of the Open Meeting Act.

**Agenda Items 1 and 2.**

Chairman Ken Purdy called the meeting to order at approximately 9:00 am. Roll call was taken and the following council members were present: Steve Mason, Ken Purdy, Steve Landers, Bill Torneten, David Griesel, Ralph Triplett, Jr., and Jay Stout. Tom Canfield was absent and Casey Elliott arrived later. A quorum was declared present.

Mr. Purdy welcomed members of the public and Mr. Jerry Johnston of the Environmental Quality Board. Mr. Purdy thanked Bob Rabatine, EMI, for furnishing donuts.

**Agenda Item 3. APPROVAL OF THE MINUTES OF THE JULY 13, 2000 REGULAR MEETING**

Motion was made by David Griesel and seconded by Ralph Triplett to approve the minutes of the July 13, 2000 meeting. A roll call vote was taken and the motion passed unanimously.

**Agenda Item 4. PUBLIC FORUM**

Mr. Purdy then opened discussion for public forum. No comments were made.

**Agenda Item 5. REPORT ON THE AUGUST 29, 2000 ENVIRONMENTAL QUALITY BOARD MEETING**

Ken Purdy attended the meeting as representative for the Council and presented the proposed revisions to OAC 252:510 and OAC 252:520. After brief discussions, the Board approved the changes.

**Agenda Item 6. DISCUSSION OF SW PROGRAM FEES/EXPENDITURES**

Fenton Rood presented copies of the final figures for fiscal year 2000, indicating the amount of the Solid Waste fees collected and the expenditures of those monies in the last fiscal year.

A second chart was presented, showing the proposed budget for fiscal year 2001.

There were several questions from Council members for clarification of certain expenditures. Explained in particular was the difference in the expenditures for 2000 and those for 2001, all of which were explained to their satisfaction.

Also distributed was a draft resolution for the Council to adopt for presentation to the Legislature stating that solid waste fees, including waste tire recycling fees, should be used only for the purposes for which they were collected.

Motion was made by Ralph Triplett and seconded by Steve Mason for approval of the Resolution. A roll call vote was taken and the motion passed unanimously.

#### **Agenda Item 7. DISCUSSION OF STATUS OF PROJECT ON IN-DEPTH REVIEW AND REVISION OF CURRENT SOLID WASTE RULES**

Mr. Jon Roberts briefly stated the history of the solid waste rule review committee that has been developed to perform a thorough review of current rules. The committee was formed at the request of the solid waste community to review the solid waste rules and work toward simplification of the rules and to reduce costs while maintaining environmental protection.

The first meeting of the rules development committee was May 3<sup>d</sup> of this year to lay the groundwork for the subsequent meetings. In that meeting, the committee agreed on the order in which to review the rules and what the final format of the rules would be. The committee agreed the final set of rules would be a single set of rules to regulate all of our solid waste facilities, rather than the dual set that we currently have.

The second meeting was to begin discussion of financial assurance requirements. Next would be groundwater monitoring issues, permitting requirements, operational requirements, non hazardous industrial waste and waste exclusion plan requirements, leachate collection and run off control, explosive gas control. The final topic is to be other issues that could be combined together, such as location standards, liner construction standards, biomedical waste issues, etc.

Since the last council meeting, there have been two rules committee meetings. The main topic of discussion at the last two meetings was groundwater rules. Very significant progress had been made in the review of those rules..

At August 9<sup>h</sup> meeting, the committee was presented with a side by side comparison of the 510s and 520s permitting rules, along with a copy of our current Tier Permitting Rules that are in Chapter 2 of OAC 252. Comments on the rules were presented.

Also at the August 9<sup>h</sup> meeting, a side-by-side comparison of the federal groundwater rules for municipal landfills in 40CFR Part 258 were presented with the groundwater rules of OAC 252:510. Finally, draft guidance documents were presented, as requested by members of the rules committee. The guidance documents outlined what would be needed to seek DEQ approval for reducing both groundwater monitoring frequencies and/or parameters, as allowed under both federal and state rules. Comments were received and discussed.

Dave Smit was the primary hydrologist that prepared these documents which were very well received. The committee was enthusiastic about the documents, and the flow chart developed by Mr. Smit to reduce groundwater monitoring frequencies was considered very helpful. If a facility wanted to reduce their groundwater monitoring frequency, the flow chart provided guidance on things to consider, such as flow rates under the landfill, type of geology underneath the landfill, etc. Committee members submitted additional comments. Those comments are being worked on and hopefully will be a final document at the next meeting.

For the next meeting, committee members were asked to review the proposed revisions to the groundwater rules and be ready to discuss them. Committee members were also asked to review proposed modifications to the groundwater rules for facilities other than municipal landfills. For example, should an alternative set of groundwater monitoring parameters be proposed for landfills such as C&D and NHIW, or should they have the same requirements as municipal landfills.

The next scheduled committee meeting is November 16<sup>th</sup> at the DEQ building beginning at 9:00 am. This meeting will be devoted exclusively to groundwater monitoring rules so that hopefully those rules will be completed. Future meetings will be postponed until after Thanksgiving and Christmas holidays.

Chairman Purdy asked what other topics might be included for review by committee. Mr. Roberts answered that a total of nine topics have been agreed upon. Two have been completed and groundwater is expected to be finished at the next meeting. Mr. Roberts noted that leachate and run off control is expected to generate a lot of interest, along with explosive gas control. These two areas may require several meetings before completion. A potential completion date for finalized rules is August, 2001.

It was suggested and agreed upon, that an agenda item would be set for the next meeting and handouts of the rules would be provided for discussion.

### **Agenda Item 8. DISCUSSION OF IMPLEMENTATION STRATEGY REGARDING THE SOLID WASTE FINANCIAL ASSURANCE PROJECT**

Jon Roberts stated at the last council meeting, the council asked the rules committee to discuss implementation strategies for the financial assurance guidance document that was prepared by Cardinal Engineering on behalf of the DEQ. Mr. Roberts stated that a revised Chapter 5 from the financial assurance guidance document is part of the council package. (Note: Council member Casey Elliott arrived during this discussion.)

Mr. Roberts noted that costs estimates were reviewed recently for a facility using the draft worksheet. Some errors in the worksheet were found, along with certain items that were unclear. These were brought to the attention of Cardinal Engineering and changes were made based on the Department's recommendations.

Chapter 5 was discussed at the September 29<sup>th</sup> rules development meeting. The rules committee was moderately satisfied with Chapter 5. Ways to implement the overall guidance document and the cost estimates that are included in Chapter 5 were discussed at that meeting. The Oklahoma Association of Solid Waste Professionals recommended an implementation strategy whereby the Council would formally approve the guidance document as the official guidance document to be used for calculation of financial assurance. Rules would then be developed requiring the use of the Council approved guidance document or an alternative mechanism that would be clarified in the rules for alternative unit costs, such as submittal of 3 bids. The intent of the recommendation made by the Oklahoma Association of Solid Waste Professionals was to insure that the Council would be aware of any future changes and have input to the guidance document if changes were needed. Also, this method would prevent the guidance document from having to go through rulemaking every time changes were needed.

The study by Cardinal Engineering is expected to be finalized within 30 days of this meeting. When the financial assurance study is finalized, it will be the official guidance document for calculating cost estimates for landfills.

Further discussion followed by Council and members of the public pertaining to specific areas of the guidance document. A suggestion was made to make operative portions of the guidance document a part of the final rules, since the entirety of the document cannot be made a part of the rules. This way the operative portions of the document would be in the rules and have enforceability.

Discussion continued regarding the amount of unit costs for closure. Attention was directed to inflation factors and technology changes and how to effectively adjust for these potential changes.

Also a letter from Ms. Jane Allingham of the Hall, Estill law firm of Tulsa on the proposal by the Association of Solid Waste Professionals was presented. After review of all recommendations, the Council directed the Department to develop rules to implement the results of the guidance document for review by the Council.

Chairman Purdy gave a summation of the discussions and stated that the Council will again discuss these issues when the documents are further developed. Anticipated date approximately summer, 2001.

**Agenda Item 9. NEW BUSINESS**

No comments were made.

**Agenda Item 10. PUBLIC FORUM ISSUES (continued)**

No comments were made.

**Agenda Item 11. DISCUSSION OF 2001 MEETING DATES AND LOCATIONS**

The following dates and locations were proposed for 2001:

January 11, 2001 – Oklahoma City, OK

April 5, 2001 – Woodward, OK

July 12, 2001 – Oklahoma City, OK

October 11, 2001 – Piedmont, OK

Motion was made by Ralph Triplett and seconded by David Griesel to accept and approve the proposed dates. A roll call vote was taken and the motion passed unanimously.

**Agenda Item 12. ELECTION OF OFFICERS FOR 2001**

Motion was made by David Griesel and seconded by Ralph Triplett to retain Mr. Purdy as Chairman.

Roll call vote was taken and the motion passed unanimously.

Motion was made by David Griesel and seconded by Ralph Triplett to retain Mr. Jay Stout as Vice Chairman.

Roll call vote was taken and the motion passed unanimously.

**Agenda Item 13. ADJOURNMENT**

Meeting adjourned at 11:10 a.m.