



Board of County Commissioners - Staff Report

Meeting Date: February 19, 2019 **Presenter:** Keith Gingery
Submitting Dept: Attorney **Subject:** Adoption of Title 10 (Solid/Hazardous Waste)

Statement / Purpose:

Adoption pursuant to the Wyoming Administrative Procedures Act (Wyo. Stat. §16-6-103) of rules and regulations regarding Solid and Hazardous Waste, Title 10.

Background / Description (Pros & Cons):

New rules were adopted on December 4, 2018 dealing with a myriad of subjects. After that process had begun the Integrated Solid Waste and Recycling (ISWR) requested that new rules be adopted for solid and hazardous waste. Title 10 Solid and Hazardous Waste is attached hereto and provides for Chapter 1 – Definitions and Chapter 2 – Access to Disposal Sites, and Chapter 3 – Restrictions. These proposed rules were presented to the BCC on December 18, 2018, and the BCC authorized releasing the proposed rules for public comment for the past 45 days.

The proposed rules were presented to the BCC in December 2018. The BCC requested that the County Clerk advertise a Notice of Intent to adopt the rules and regulations and to hold a hearing on February 19, 2019 to take public comment and to vote on the rules and regulations for final adoption. Notice was published on December 26, 2018. The statutory period of 45 days has passed with no written public comment having been received.

Stakeholder Analysis & Involvement:

Heather Overholser, Superintendent of ISWR, drafted the rules with considerable input from her staff.

Legal Review:

Gingery

Attachments:

Title 10 Solid and Hazardous Waste

Suggested Motion:

I move to approve Title 10 Solid and Hazardous Waste pursuant to Wyoming Statute 16-3-103 and further move that the rules shall be effective as of March 1, 2019.

TITLE 10

SOLID AND HAZARDOUS WASTE

CHAPTER 1 – DEFINITIONS

10-1-1 DEFINITIONS

- a. **Hazardous Waste:** means those wastes that are defined as hazardous wastes in Wyoming Department of Environmental Quality Hazardous Waste Rules and Regulations, Chapter 2, Identification and Listing of Hazardous Wastes.
- b. **Landfill:** means a solid waste management facility for the land burial of solid wastes, utilizing an engineered method of controls to avoid creating a hazard to public health, the environment, plants, and animals.
- c. **Person:** means any institution, public or private corporation, municipality, individual, partnership, firm, or other entity.
- d. **Solid Waste:** means garbage and other discarded solid materials, including solid waste materials resulting from industrial, commercial and agricultural operations, and from community operations, but, does not include:
 - i. Solids of dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved, or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.
 - ii. Liquids, solids, sludges or dissolved constituents which are collected or separated in process units for recycling, recovery or reuse including the recovery of energy within a continuous or batch manufacturing or refining process; or
 - iii. Agricultural materials which are recycled in the production of agricultural commodities.
- e. **Special Waste:** means those wastes that require special handling as described in Wyoming Department of Environmental Quality Solid Waste Rules and Regulations, Chapter 8.
- f. **Transfer Station:** means any solid waste transportation related facility including loading docks, parking areas, storage areas, scale buildings, and ancillary features.

CHAPTER 2 – ACCESS TO DISPOSAL SITES

- a. Any resident of the county may dispose of solid waste at the Trash Transfer Facility, subject to direction from the site manager or operator as to where such wastes shall be dumped and subject to other requirements set forth in these rules in Title 10 – Solid and Hazardous Waste.

CHAPTER 3 – RESTRICTIONS

10-3-1 DISPOSAL OF SOLID WASTE

- a. The disposal of solid waste at the Trash Transfer Facility shall be subject to the following restrictions:
 - i. No solid wastes or other wastes shall be disposed of at the Trash Transfer Facility except as provided for in these rules included in Title 10 – Solid and Hazardous Waste and according to the rules and regulations of the Wyoming Department of Environmental Quality.
 - ii. Only solid wastes may be disposed of at the Trash Transfer Facility. No liquid wastes or hazardous wastes may be disposed of at the Trash Transfer Facility.
 - iii. Special Wastes must be disposed of at the Trash Transfer Facility only in accordance with Wyoming Department of Environmental Quality Solid Waste Rules and Regulations, Chapter 8.
 - iv. No person shall salvage, separate, collect, carry off or otherwise remove or dispose of anything whatsoever from the Trash Transfer Facility without the permission of Superintendent of the Integrated Solid Waste and Recycling Division.
 - v. All loads to the Trash Transfer Facility must be tarped and secured.
 - vi. The following items may not be disposed of at the Trash Transfer Facility:
 - a. Hazardous Wastes, such as but not limited to:
 1. Flammable Liquids, such as but not limited to: Oil Based Paint, Thinner, Acetone, Brake Fluid, Aerosols, Transmission Fluid, Gasoline, Motor Oil, Hydraulic Oil, Ammonia
 2. Flammable Solids, such as but not limited to: Adhesives, Silicone, Tar, Moth Balls, Non-pourable Oil Paint, Wood Filler
 3. Oxidizers, such as but not limited to: Chlorine, Bleach, Hydrogen peroxide, Nitrates, Nitrites
 4. Corrosives, such as but not limited to: Acid Washes, Drain Openers, Batteries, Oven Cleaners, Photo Chemicals
 5. Poisons, such as but not limited to: Thermometers, Cyanide, Creosote, Methylene Chloride, Copper Sulfate, Antifreeze, Penta, Lead Compounds
 6. Pesticides, such as but not limited to: 2-4-D, Diazinon, Decon, Raid, DDT, Mosquito/Fly Repellent, Rose Dust, Flea Spray/Powder
 7. Herbicides, such as but not limited to: Roundup, Weed B Gone, Ortho Products, Curtail, Confront
 - b. Electronic waste, such as but not limited to:
 1. Cathode Ray Tubes, such as but not limited to: Televisions and Computer Monitors

2. Computers, such as but not limited to: CPUs and laptops
 3. Mobiles phones and tablets
 4. Printers, copy machines, and other computer accessories
 - c. Asbestos and asbestos-containing wastes (friable and non-friable)
 - d. Bear spray (full or empty)
 - e. Compressed gas cylinders
 - f. Camping propane canisters
 - g. Lithium batteries
 - h. Fluorescent light bulbs
- vii. The following items may not be disposed of on the tipping floor of the Trash Transfer Facility, but are accepted at other locations at the Trash Transfer Facility:
- a. Clean dimensional lumber
 - b. Yard waste, such as but not limited to: grass clippings, plant debris, sod, leaves, branches and twigs, tree stumps, timber.
 - c. Manure
 - d. Concrete
 - e. Scrap metal