

Lincoln County, Wyoming

Thank you for the opportunity to comment on the proposed rules for Chapter 4.

My comments are based on the cumulative effect of rule changes. Chapter 1 changes removed required DEQ inspections of CD landfills. Chapter 7 does not require financial assurance for CD landfills. I understand that DEQ needs to focus their limited resources on activities most likely to impact groundwater. My concern is that the cumulative effect may result in a future need to clean up CD landfills which have impacted groundwater.

All governments find money to be limited. It is an unfortunate fact that spending money on landfills (regardless of type) is NOT something anyone runs on, nor do constituents appreciate being charged the tipping fee necessary to address reasonably foreseeable long term costs.

I believe DEQ is going to need more options for proper management. Inspections and participation in Chapter 7 Financial Assurance should be something they can invoke, if, improper operations are noted at a C&D landfill (or a Chapter 6 Transfer Station) or if there is evidence of groundwater contamination.

I know that the public will always say that their waste is whatever the tipping fee is lowest for. Even when the tipping fee is the same for MSW and CD the public, in general, will say they only have one type of waste so they can avoid the inconvenience of sorting—after all, it's all garbage. They also can be extremely creative in hiding the banned waste. It costs a lot of time and money to carefully inspect loads and without the fear of an inspection it is tempting for management (not with the intention of harming the environment but rather a desire to show constituents that they know how to be efficient) to streamline away effective screening procedures.

All of the public, particularly the portion unhappy with the fees, knows everything about waste management and will argue persuasively that CD waste is innocuous, look, even DEQ doesn't require inspections, and therefore it should be less money to dispose of than MSW. If management succumbs to that argument there will be a lot of waste that should not be in a CD landfill.

Lincoln County has a transfer station in Thayne and the rate is the same for MSW and CD. Both dumping locations are paved and easy to access. We have had to institute a fine for mixed loads. We have a range of fees from \$20/item to \$240/ton on the entire load, in addition, to the regular fees for dumping. We always charge the lower amount or offer the option to reload (\$75 fee) and remove and resort before returning, prior to imposing the draconian \$355/ton for the load charge. Amazingly, some have to pay the fine several times before they sort. We also have the right to ban them for repeated violations. I do not believe that the citizens in this area are any different from residents in any other part of Wyoming; I do believe that it is human nature when dealing with something one just wants to get rid of.

We transfer both MSW and CD waste from Thayne. We bale the MSW and balers are very picky about what goes through them so all of our staff is watching for the wrong materials. The CD waste is shredded, while a shredder is more forgiving than a baler, one does get to see what was hid in the CD pile which does not happen at a landfill. A machine operator who is pushing up and compacting the waste will find some of the hidden waste, but, probably not all. Some of it is relatively innocent and probably benign. Lots of food wrappers/empty food containers get put inside empty 5 gallon buckets or boxes. Not so good, are the half used sealant containers inside a box that appears to be

just packing material.

I strongly believe that the rules for Chapter 4 need to include authorization for the Administrator to invoke inspections and/or financial assurance for CD landfills if there is any reason to believe that the operational standards are not screening out undesirable waste or there is evidence of groundwater impact from the operation.

As an operator, I want to protect groundwater, but, truthfully, it does make my job easier if I can say, "the state DEQ and EPA require it."

My final comment is on Chronic Wasting Disease (CWD). I do not know how many locations are composting dead animal waste and then disposing of the wood chips/sawdust, bones & hides in a CD landfill, but, I do know the Administrator has discussed this as a potentially viable option. I live in a windy part of the state and our experiment with composting a decade ago was not what I would term as positive. It may work fine in some locations, and a compost pile that maintains the correct temperature can result in compost and not a stinking mess. Personally, I don't like the idea of hides and bones being in a CD landfill because it weakens my argument that partially eaten take-out meals don't belong there—a pit is a poor place to try to educate the uninterested public in the distinction between proper composting and a garbage pile. My concern is when CWD prions are potentially in the dead animal waste. Prions survive proper composting just fine. Studies have shown that prions can migrate to groundwater. With the chemicals that are tested for in groundwater monitoring, there are generally accepted levels that constitute contamination, a lot less is known about prions. I am not saying that it is a public health risk, just that we do not have the evidence to rule it out. Obviously, the animals may die in the wild and we have no control over that. I believe that the potential impact to groundwater should be considered so that future impact to humans, if there should be a problem, will be minimal. We should avoid concentrating a source of contamination near communities.

I do appreciate DEQ's effort to update and simplify the rules. I do support the Administrator having the leeway to apply common sense to each individual situation. It does have the drawback that decisions may be criticized for being political favoritism. The combination of rule changes does make it easier for a cash strapped community to cut corners on waste management and potentially contaminate groundwater or have other environmental consequences that there will not be the financial reserves to address and once again the legislature will have to deal with issues the Cease and Transfer program was intended to eliminate. Thank you.