

From: [Davendonis, Jason](#)
To: [Colvin, Rebecca A \(DEC\)](#)
Cc: [Johnson, Terry](#)
Subject: Comments to Proposed Revision to 18 AAC 60.800-860 (Landfill Monitoring)
Date: Tuesday, November 24, 2020 3:55:24 PM
Attachments: [ADEC Rule Revision Comment Letter - FINAL 11-24-20.pdf](#)

Ms. Colvin,

Please find attached letter with comments to the proposed revisions to 18 AAC 60.

We appreciate the opportunity to review and comment on these proposed revisions.

Thank you and have a good Thanksgiving Holiday.

Jason

Jason Davendonis

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November 24, 2020

Ms. Rebecca Colvin
Alaska Department Environmental Conservation
Division of Environmental Health
555 Cordova Street
Anchorage, Alaska 99501

Subject: Proposed Revision to 18 AAC 60.800-860 (Landfill Monitoring)

Dear Ms. Colvin

Waste Management (WM) appreciates the opportunity to review and comment on the proposed revisions to the landfill monitoring regulations contained in 18 AAC 60.800-860. Overall, WM commends Alaska Department of Environmental Conservation (ADEC) for recognizing the need for additional flexibility in the monitoring regulations based on site-specific conditions. Natural conditions across Alaska and elsewhere (geology, hydrogeology, geochemistry, etc.) do not conform to a one-size fits all approach, and attempting to do so only creates needless extra work with no benefit to human health or the environment. Similar to the regulations in other states where we operate, rules which allow more professional judgement and adaptive approaches have proven to be the most effective.

In addition to the above general comment, WM also recommends consideration of the following changes:

18 AAC 60.810(b): *Samples collected from the sampling locations must detect, at an acceptable level of sensitivity (i.e., quantifiable levels), the highest representative concentrations of the constituents of concern in either surface run-off or other liquid discharge that leaves the facility, or in nearby surface water that receives run-off or other liquid discharge from the facility.*

WM Rationale: The objective of all sampling programs is to provide representative data at an appropriate quantification level in accordance with approved sampling and analysis plans.

18 AAC 60.830(g): *The owner or operator shall specify in the groundwater monitoring plan one of the following statistical methods to be used in evaluating groundwater monitoring data for each constituent retained for statistical analysis. The statistical method selected must be conducted separately for each constituent in each well and the statistical analyses under each method should be developed in consideration of the must be in accordance with Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities – Unified Guidance (EPA 530-F-09-020, March 2009), adopted by reference, unless an alternative approach is approved by the department.*

WM Rationale: This change is recommended for two reasons: 1) to again allow greater flexibility based upon site-specific conditions; and 2) mandating (or codifying) “guidance” into regulation is unconventional and could result in unintended consequences. The sheer size of Unified Guidance document (over 500 pages) could create unforeseen compliance pitfalls.

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WM again appreciates the opportunity to comment on the proposed rule revision.

Sincerely,

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