

**Virginia Solid Waste Management Regulations – Amendment 7**  
**9VAC20-80-10 *et seq***  
**Technical Advisory Committee (TAC) Public Meeting - July 7, 2008**

F. Scott Reed—Dominion Virginia Power

Bob Dick—Virginia Waste Industries Association (VWIA) and private consultants

Atman Fioretti—Sierra Club, Virginia Chapter

Rick Guidry—King George County Landfill, Inc., absent; Mike Thomas as substitute.

Jerry Martin—Augusta County Service Authority

Jimmy Sisson—Virginia Recycling Markets Development Council

Fouad Arbid—Solid Waste Association of North America, absent; Steve Yob as substitute.

Joe Levine—Southwest Virginia Solid Waste Management Association

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**(Others in attendance):** (1) Leslie Beckwith--facilitator; other staff members that were present to answer questions raised by the TAC: Deb Miller, Sanjay Thirunagari, Karen Sismour, Don Brunson, Jason E. Williams, Allen Brockman, and (2) names of public attendees: Tim Torrez (Republic), Jenny Johnson (Joyce Engineering), Scott Whitehurst (SPSA), Ron DiFrancesco (Golder), and Ed Hollos (Resource International).

**Today's meeting notes:**

Leslie Beckwith reiterated that changes are present throughout the text sent to TAC members, but that *major* changes were highlighted in yellow.

In Reference to Action Items either new or outstanding from the June 19 TAC Meeting (see Leslie Beckwith's handout on 7-7-08):

Action Items from handout reviewed today:

Scott Reed asked if the TAC could identify, conceptually, the effect of some of the new definitional requirements in the first 2 action items that were deferred today (Definition for disposal capacity & definitions for facility boundary, waste disposal boundary, etc). It was agreed to postpone this identification until a later discussion.—ACTION ITEM: Scott Reed will provide his thoughts on this topic by the next meeting.

Then we moved on to the revised Wallboard exemption action item (#3) from handout (9 VAC 20-81-95 C 7), which had been circulated to the TAC after the June 19 meeting. Jason Williams provided a briefing on the topic. Jimmy Sisson expressed a concern that the revised exemption, as written, does not reflect or allow for new technological advances. Deb Miller said his concern would be ameliorated by the beneficial use determination procedure. Don Brunson suggested alternative wording. —ACTION ITEM: Jason Williams will provide revised language. A consensus of the TAC agreed with Jason’s alternative as he explained at the meeting.

Next we moved on to the revise certified mail language (#4): TAC consensus was achieved.

Action Items #5 & #9: Mike Thomas’s alternate language for 9 VAC 20-81-130 I 1 and for 9 VAC 20-81-130 P 2, which were sent to the TAC, were addressed. TAC Consensus was reached on both items, as per revisions proposed in today’s meeting.

Action Items #6 thru 8 can be addressed when we get to section 210. Bob Dick pointed out that revisions to this section haven’t yet been provided to the TAC. Leslie agreed.

#10: New language circulated to TAC regarding 140 B and C, based on earlier consensus reached by TAC on new 140 A. Jimmy Sisson asked where the revised language to the litter collection in 140 that were addressed in the June 19 meeting by the TAC was (in today’s text)? Joe Levine agreed that the new language consensus rested on collection on a weekly basis. Scott Reed requested that we review the litter changes again.

Scott Reed asked that we consolidate all common items to all three landfill types, where appropriate, to the beginning of the Operations section. A consensus of the TAC agreed to this rearrangement.

A consensus of the TAC agreed to the text of 140A as what they had reached consensus on at the June 19 meeting.

For sections 140B & C—Deb projected the proposed new text to the screen.

Steve Yob suggested to add the date and time to the disclaimer footer on all these text sections. Steve Yob said that if we stick to the language agreed to for the Sanitary Landfill sections, we should be fine.

Deb asked the TAC about fire breaks for discussion (9 VAC 20-81-140 B 11 and action item #14). Are they effective? Bob Dick asked if this requirement is unique to CDD landfill. Deb said “yes.” Then the TAC discussed why this is the case. Deb refined the question as: the weekly progressive cover in sanitary landfills suitable to meet the needs of a fire break? The TAC affirmed this was the case. Bob Dick made the motion that the “fire break” language in 9 VAC 20-81-140 B 11 be removed as a CDD requirement with progressive cover meeting this need at all landfills. The TAC reached consensus on this change.

Leslie Beckwith noted that the TAC has been requested to look at the open burning prohibition in 9 VAC 20-81-140 B 7. Bob Dick suggested using 9 VAC 20-81-140 A 7 a & b from the Sanitary Landfill. Steve Yob suggested moving the language up to the front of the section for all three landfills. The TAC reached consensus on this change.

On to discussion of the Category I or II non-friable asbestos containing material—cover requirements (9 VAC 20-81-140 B 12 b). Jason provided an explanation. The TAC reached consensus on this change and final revision by Deb Miller.

Brief discussion on vegetation and acceptance proceeded on 9 VAC 20-81-140 B 12 e. Some differences were noticed by Jim Sisson and Bob Dick. Deb Miller made the sections similar.

Bob discussed why 9 VAC 20-81-140 A 1 e (1) and 140 B 12 d (1) are slightly different. Deb Miller made some slight revisions to make them more similar. The TAC reached consensus on this item.

Deb confirmed that the 9 VAC 20-81-140 B 14 language will be moved up for consolidation into a general applicability section. A consensus of the TAC supported this change.

9 VAC 20-81-140 B 18 also will be moved to a common applicability section. The TAC reached consensus on this item.

Bob Dick noted that the records section (9 VAC 20-81-140 B 10) on CDD and Industrial are substantially different from Sanitary Landfills. Deb agreed that this would be unified in a consolidation section. The language in 9 VAC 20-81-140 A 18 will be used with the citation to the SWIA section indicated (to emphasize that captive waste facilities and industrial waste landfills are exempt). The TAC reached consensus on this item.

The TAC agreed that facility inspections by the facility should be called “self-inspections” in 9 VAC 20-81-140 A 19. This will be carried through.

In 9 VAC 20-81-C 5, it was decided to adjust the criteria for in accordance with the facility’s emergency and contingency plan. The TAC reached consensus on this item.

Deb Miller made the Category I and II non-friable asbestos containing material sections consistent (using the corresponding language from the CDD section in 9 VAC 20-81-140 C 13 c). The TAC reached consensus on this item.

Bob Dick asked about 9 VAC 20-81-140 C 13 a to read “practicable” in both places (here and in the sanitary and CDD sections).

We broke for lunch from 12 pm to 1pm.

After lunch we picked back up with new section 9 VAC 20-81-160 (Closure).

9 VAC 20-81-160 A 2 c—various TAC and public members questioned the new proposed language in this area as too restrictive. Deb Miller reminded the TAC that this section would have to go back to the EPA for approval. Bob Dick suggested that he knew of at least one landfill that could not pass these requirements. If this hasn't been in the VSWMR, why are we proposing it now? Deb mentioned that it is presently in guidance documents. Bob Dick asked for the actual Subtitle D language. Deb Miller brought it up on the screen.

The TAC agreed to strike “For landfills that incorporate a geosynthetic clay layer...” Any associated text in guidance can remain” see text. For other changes here, also see text.

A consensus of the TAC agreed to the rewording of 9 VAC 20-81-160 A 2 (c) (2) and the related wording in this section.

Joe Levine mentioned his concerns with looking at 9 VAC 20-81-160 without starting from beginning (i.e. details from later sections seem to be out of whack with the items we are reaching consensus on now). Leslie suggested that Joe Levine address such flow concerns as an ACTION ITEM. Bob Dick and Steve Yob agreed to assist Joe as his sounding board. Leslie said DEQ staff would work on the wording of the text and then we will send them to Joe to rework into a more flowing text.

The TAC accepted the remainder of the 9 VAC 20-81-160 language (B and C) as proposed, pending any changes necessary when the definitions are finalized. 9 VAC 20-81-160 D 3 was revised as directed by a consensus of the TAC. Fioretti asked if the consensus was that rodents are not a problem at landfills. In response the TAC reiterated they were not saying rodents were not a problem however we need to revise this language because it is addressed in post-closure.

Leslie noted that our next TAC meeting is July 21, starting at 9 a.m. We will resend the sections that we will be looking at for the next meeting. At 3 pm, our meeting ended.

New Action Items from today:

1. Scott Reed asked if the TAC could identify, conceptually, the effect of some of the new definitional requirements in the first 2 action items that were deferred today (Definition for disposal capacity & definitions for facility boundary, waste disposal boundary, etc). It was agreed to postpone this identification until a later discussion.— ACTION ITEM: Scott Reed will provide his thoughts on this topic by the next meeting.
2. Regarding the revised wallboard exemption action item (#3) from handout (9 VAC 20-81-95 C 7), which had been circulated to the TAC after the June 19 meeting. Jason Williams provided a briefing on the topic. Jimmy Sisson expressed a concern that the revised exemption, as written, does not reflect or allow for new technological advances.

Deb Miller said his concern would be ameliorated by the beneficial use determination procedure. Don Brunson suggested alternative wording. —ACTION ITEM: Jason Williams will provide revised language. A consensus of the TAC agreed with Jason's alternative as he explained at the meeting.

3. Joe Levine mentioned his concerns with looking at 9 VAC 20-81-160 without starting from beginning (i.e. details from later sections seem to be out of whack with the items we are reaching consensus on now). Leslie suggested that Joe Levine address such flow concerns as an ACTION ITEM.