

## Waste Division Update

Mississippi  
Department of  
Environmental  
Quality

JOINT SPRING CONFERENCE

OF

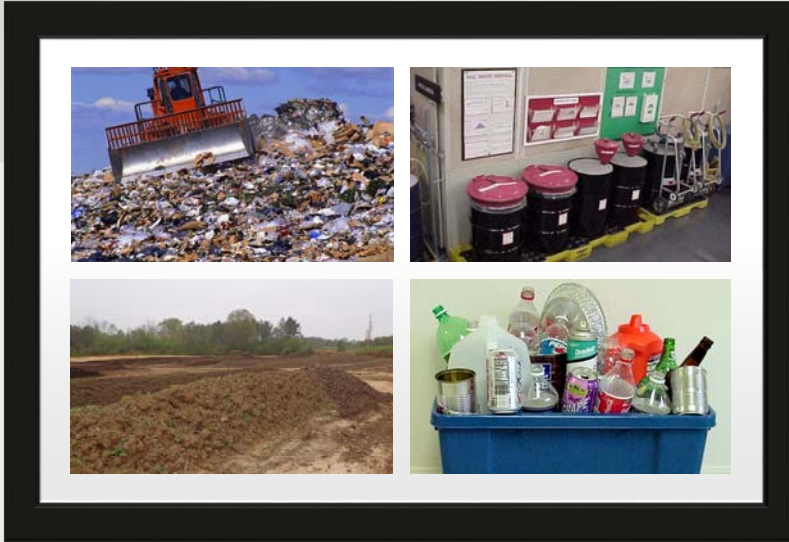
THE MAGNOLIA CHAPTER OF THE  
SOLID WASTE ASSOCIATION OF  
NORTH AMERICA

AND

THE MISSISSIPPI RECYCLING COALITION

BAY ST. LOUIS, MS

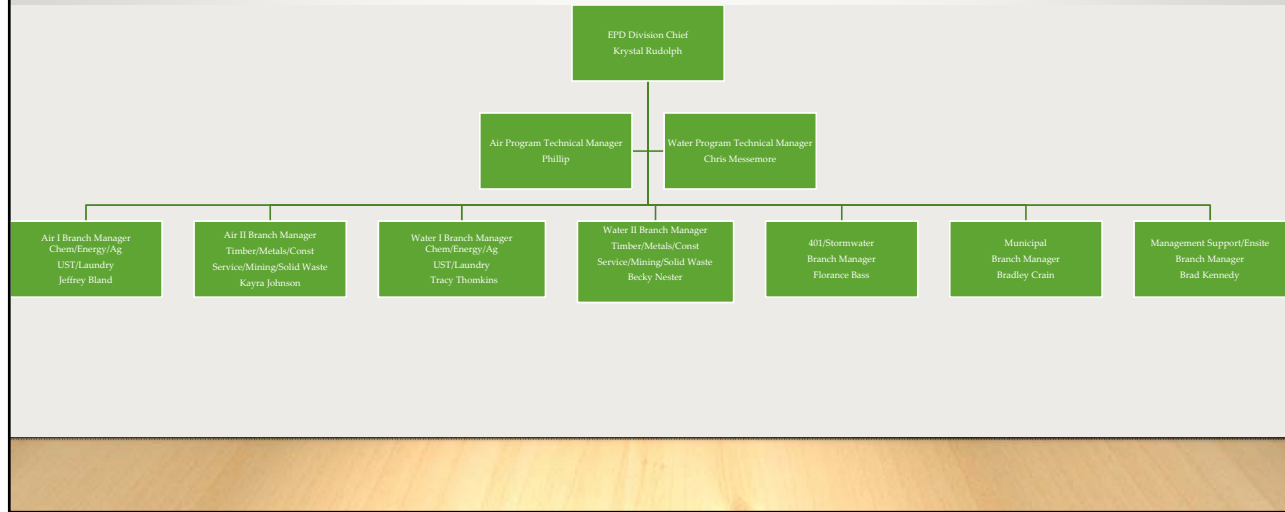
APRIL 15-17, 2018



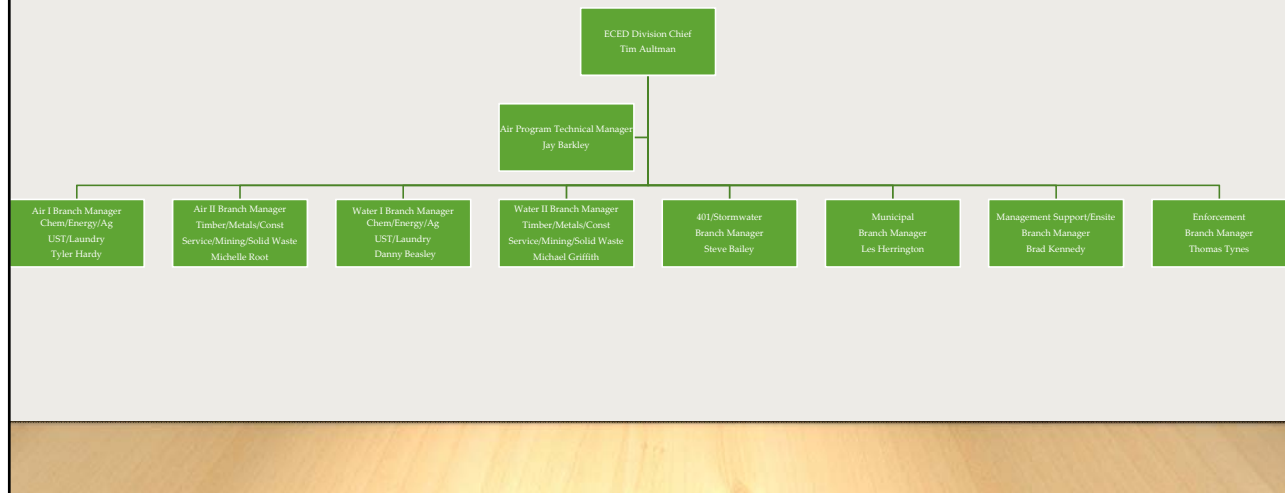
## MDEQ Agency Update

- Website Update – [www.mdeq.ms.gov](http://www.mdeq.ms.gov)
  - Continuing to make updates and changes to the content of the website to improved the user friendliness of the site
  - To locate the “Waste Division” Programs click on the “Land” icon across the top of the opening web page.
- OPC Re-Organization
  - Involving Environmental Permits Division, Environmental Compliance and Enforcement Division and Waste Division
  - Not included – GARD, Air Quality Division, Surface Water Quality Division, Emergency Services and Field Services

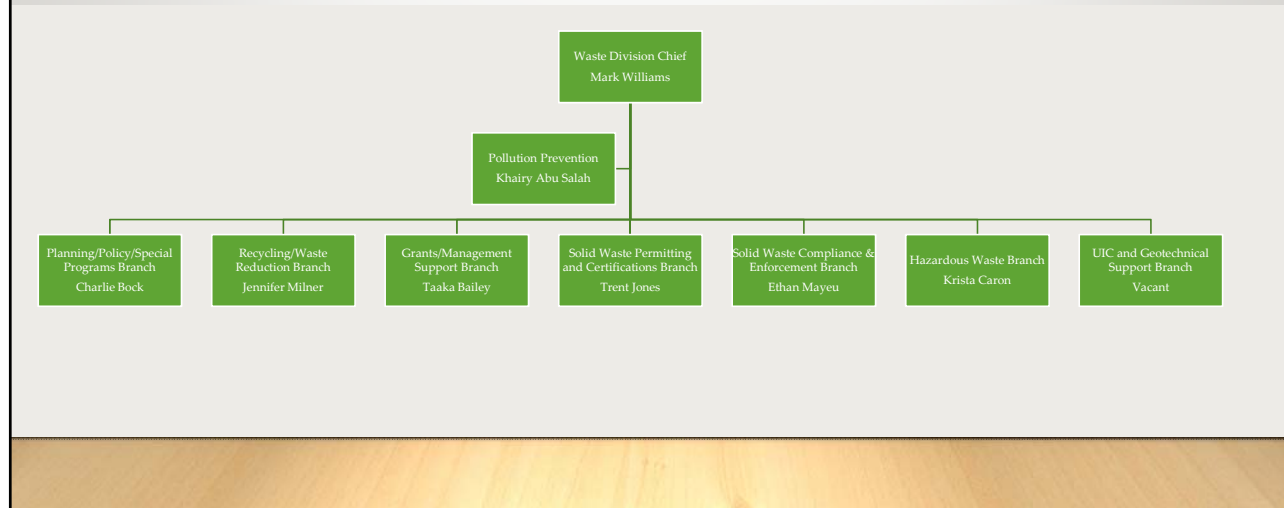
## Environmental Permits Division



## Environmental Compliance & Enforcement Division

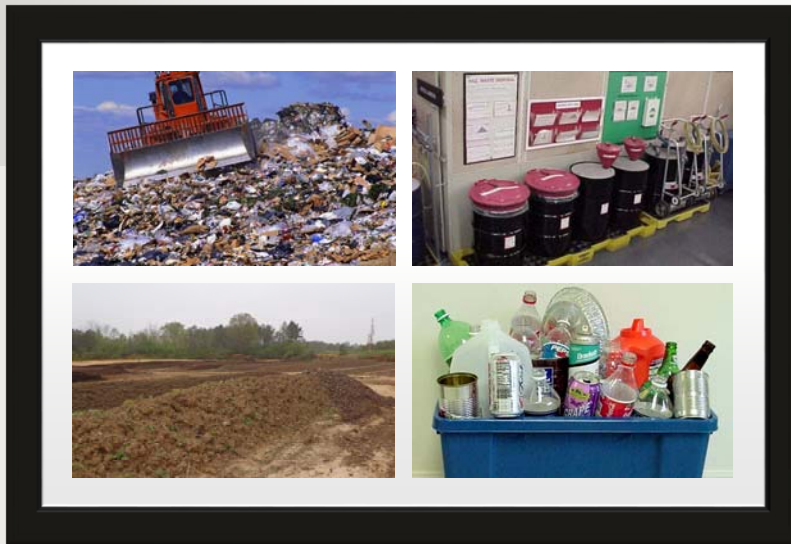


## Waste Division



## Waste Program Staff Changes

- Charlie Bock assumed position of Branch Chief of Policy, Planning and Special Programs
- Charity Rockingham recently transferred to the Permits Division.
- Eric James – in our Compliance Branch is on extended military leave for 18 months
- Lauren Jordan – is a new engineer In Permitting and Certifications Branch
- David Bridges – will be starting as a new engineer in Permitting and Certifications Branch – June 1st
- Theresa Shelton – is now the MDEQ Central Regional Waste Tire Program Inspector
- Kysha Harris – is now our North Regional Waste Tire Program Inspector
- David Robinson – is now our North Regional Solid Waste Program Inspector
- Lynn Bradshaw – has joined our Recycling Program staff
- Other Positions Being filled: UIC Program Coordinator, Staff Geologist, Engineers in Permitting and Compliance Branches



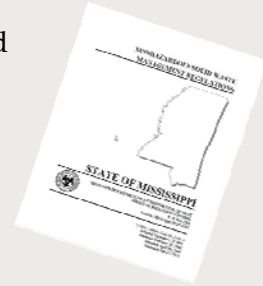
## Waste Program Area Updates

### 2018 Mississippi Legislative Session

- HB 1607 – MDEQ Appropriations Bill for State Fiscal Year 2019 – Provides a relatively flat budget compared to last state fiscal year - \$10,011,182.
- HB 1649 - authorizes \$5 million in bonding authority for the wastewater State Revolving Fund used to provide low interest loans to municipalities and authorities for wastewater infrastructure purposes
- HB 813 - provides a mechanism to ensure the State's UST program is adequately funded. The bill authorizes the creation of an advisory committee that will make a recommendation to the Commission on Environmental Quality as to the appropriate tank fee necessary for operation of the program.
- SB 2485 – removes a requirement for MDEQ to conduct a mandatory public hearing on the air and water companion permits for municipal solid waste landfills. Creates the flexibility to hold a public hearing when there is public interest.

## Revisions to the Mississippi Nonhazardous Solid Waste Management Regulations

- Adopted in 1993, content last updated in 2005 and incorporated into the State Administrative Procedures Act Rules in 2013.
- Sets standards for all solid waste management facilities to ensure the protection of human health and the environment.
- Now referenced as Title 11, Part 4, Chapter 1 Mississippi Commission on Environmental Quality Regulation Regarding Nonhazardous Solid Waste Management Regulations.



## Regulatory Revisions Under Consideration

- Exemption Clarifications (Wastewater, Ag wastes, slag)
- Siting Criteria (surface water, drinking water sources, property line, residences, floodplains and geologic buffers)
- Permit procedures (emergency authorizations, short term project permits, R, D & D Permits).
- Inclusion of Federal CCR Regulations
- Landfills (R,D & D, Ind LF FA, etc)
- Storage/Transfer (Closure, Leachate mgt, recycling facilities)
- Rubbish sites (Survey reqts, closure/post-closure, Fin. Assur., Deed Notation)
- Processing/Composting (New Categories and modified permit reqts)
- Land Application (short term projects, 503 parameters)

## Regulatory Revision Process

- Develop and finalize draft internally. *(Had been placed on hold pending our Re-Organization)*
- Hold Preliminary Stakeholder Meeting
- Adjust draft regulations based on stakeholder feedback
- Submit proposed revisions to the Small Business Review Committee for comment.
- Issue public notices and hold public hearings.
- Collect and consider all comments, make changes if deemed necessary.
- Develop and submit final revision to the Commission.
- Allow 30 day appeal period after approval.
- Hold evidentiary hearing if necessary.

## Solid Waste Permitting Issues

- Statewide General Permits for Class I and Class II Rubbish Sites
  - General Permits expired on December 31, 2016
  - MDEQ has administratively continued those permits until new permits and guidance is issued. So existing coverage is considered valid until such time that the permits are reissued.
  - Permitting/Certifications Branch is working on development of draft permits
  - Instructions for re-coverage will be provided upon reissuance
- Statewide General Permits for Municipal Waste Transfer Stations
  - General permit expired on September 30, 2017
  - MDEQ has administratively continued the coverages issued under this GP until a new permit and guidance is issued. So existing coverage is considered valid until such time that the permit is reissued



## Other Environmental Permits Under Re-Org

- Air II Permitting Branch (Kayra Johnson) will handle all air permits to construct and all Title V permitting for landfills and other solid waste management facilities;
- Water II Permitting Branch (Becky Nester) will handle all wastewater pre-treatment permits for landfills and all individual construction storm water control permits;
- 401/Storm Water Branch (Florance Bass) will handle all 401 water quality certifications as part of the 404 permitting process through the COE and will handle all storm water general permit coverages for solid waste facilities.
- *Note: Similar to these issues compliance for the permits are handled out of Air II, Water II and 401/Stormwater Compliance Branches*

## Oil and Gas Regulations

- Mississippi Commission on Environmental Quality approved the State Oil and Gas Board on Regulation of NORM Wastes (Rule 68) in February 2017.
- One condition of the approval was that the updates would be made to the other primary disposal rules (Rule 45). Land Spreading for drilling muds, drill cuttings and other nonhazardous drilling materials;
  - Constituent standards for land spreading
  - Siting standards for land spreading, and
  - Operational standards for land spreading.

## Solid Waste Planning Update

- Every County and Municipality in Mississippi must have a 20-year local solid waste management plan.
- Updated Comprehensive SWM Plans completed for 39 counties and numerous municipalities (47.5% of counties);
- 4 additional counties and 1 municipality have draft plans under review with MDEQ currently (5%)
- 10 counties are in the midst of development of their updated solid waste plans (12%)
- New planning grants made to Tunica, Coahoma, Leflore, Neshoba and Smith Counties to start development of updated long range solid waste plans.

## Solid Waste Reporting

- MDEQ's Electronic Reporting Initiative For Solid Waste Facility/Activity Reporting
  - Contract with Emerge Knowledge should be signed this week;
  - Development Phase will occur over the summer of 2018
  - Training Sessions will occur in the Fall of 2018
  - Electronic reporting system in place for reporting in January 2019.
- New potential areas of reporting for 2019
  - Results of the annual plan review
  - Material recovery volumes and rates



## Solid Waste Reporting

- Preliminary Numbers from 2016 Annual Facilities Reports:
  - Total Landfilled: 5.468 million tons (up from 5.065 million tons in 2016)
  - 4.92 million tons of wastes disposed at commercial disposal sites (up from 4.631 million tons in 2016)
  - 548,000\* tons of wastes disposed at non-commercial disposal sites (up from 434,020 tons) \* does not include facilities claiming conf biz info

## Solid Waste Reporting

- 2017 Annual Facility Reports indicates the following amounts of wastes managed at non-disposal facilities:
  - Land Application Facilities: 35,906 (up from 29,754 tons in 2016)
  - Composting Facilities – 25,464 tons (up from 19,569 tons in 2016)
  - Processing Facilities – 100, 917 tons (up from 96,672 tons in 2016)
  - Transfer Stations – 933,705 tons (up from 881,257 tons in 2016)

## Recycling Update

- **Challenges for U.S. Recycling Markets**

- China's National Sword Standards are difficult to meet and are causing a glut in domestic markets, particularly mixed paper.
- Low Natural Gas Prices are driving down recoverable plastics markets
- Single Stream recycling does contribute to contamination by mixing materials

## Recycling Update

- **The Upsides of the Current Recycling Conditions**

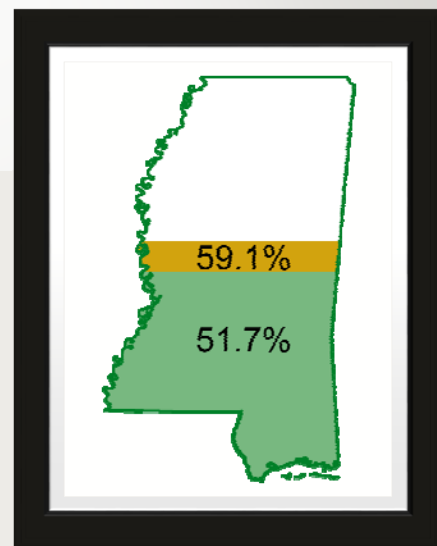
- More Corporate investment in collection, addressing contamination, public outreach and assisting with processing/sorting issues – (The Closed Loop Fund, The Recycling Partnership, CocaCola's World Without Waste, Glass Recycling Coalition, Carton Council, Association of Plastics Recyclers);
- Chinese investment in processing facilities the U.S.;
- Advances in alternate fuel development and energy uses for plastics that have low potential for recyclability;
- Renewed energy behind creating domestic markets and improving material quality.

## Recycling Update – State Vision

- Grow recycling access for the State’s residents and businesses
  - *Emphasize Waste Reduction Strategies in Community Solid Waste Planning*
  - *Providing Grant Resources for support of recycling programs*
  - *Encourage cooperative efforts among local governments*
- Conduct and support Public Outreach Efforts Across the State
- Support and strengthen Small Recycling Businesses/Organizations
  - *Providing Support through the Mississippi Recycling Coalition*
  - *Emphasis on Partnerships with Local Governments*
- Work to develop and strengthen commodity markets
- Establish appropriate reporting and measurement systems

## Recycling Access

- A total of 59.1% of Mississippi’s population has access to community sponsored recycling programs
  - up from 51.7% in 2013
  - Below the National average of 94% of the U.S. population having access
  - 30% curbside, 29% drop-off



## Recycling Update

- Addition of Recycling Support Staff at MDEQ
- Conduct a 2<sup>nd</sup> phase of Regional Recycling Cooperative Grants and continued support through SWAG grants;
- MDEQ providing continued support to MRC for conferences, awareness events, school grants and state award programs;
- Building state recycling directories of programs and state recycling businesses;
- Voluntary Reporting Initiative to Coincide with Our Electronic Reporting Rollout.

## Regional Recycling Cooperative Grants

- MDEQ will be moving forward with a 2<sup>nd</sup> phase of these Recycling Cooperative Grant Awards. The emphasis will include:
  - Grant awards that include cooperation or a regional focus;
  - Grant awards that clearly increase, improve or enhance recycling conditions in the project area;
  - Grant awards that include innovative and creative approaches to increasing recycling;
  - Grant awards that foster public-private partnerships; and
  - Grant awards that are paired with other funding, resources, or financial investments.

## SWAG Grants Programs – 2018

### COMPETITIVE SWAG GRANTS

- October 1, 2017 Grants Cycle - \$460,767 was awarded to the 13 local government grant applicants.
- April 1, 2018 – Grant applications from 15 local government applicants for \$403,097 under review; being ranked for awards

### NON-COMPETITIVE, ALLOCATED SWAG GRANTS

- \$667,665 in non-competitive, allocated SWAG grants made to county governments;
- 27 Counties did not apply for FY18 SWAG allocations: **Alcorn, Amite, Benton, Bolivar, Calhoun, Carroll, Choctaw, Clay, Coahoma, Copiah, Forrest, Holmes, Issaquena, Jefferson Davis, Leflore, Lowndes, Montgomery, Neshoba, Pearl River, Scott, Smith, Sunflower, Tallahatchie, Warren, Washington, Wayne, Webster, and Yazoo**
- \$83,721 in supplemental alternate funds for Solid Waste Enf Officers (successful programs/local ordinances) – awarded or under review.
- RFP Documentation is getting greater scrutiny. It is important for grantees to keep documents and provide documentation for expenses.

## Waste Tire Program

- 5.4 Million Passenger Tire Equivalents were collected and processed in Mississippi; (approx. 2.7 million from out-of-state sources)
- Approximately 95% (5.1 million) of these tires were processed for recycling purposes;
- Approximately 782,000 PTE's were collected through local government waste tire collection programs and 94% of these were recycled;
- MDEQ has approximately active 105 registered haulers, 9 commercial processing/collection sites and 149 local government collection sites.

## Electronics Management

- MDEQ continues to promote Local E-Waste Collection and Recycling Events Around the State:
  - Fall 2017 Event collected 12,239 pounds of e-wastes for recycling.
  - Spring 2018 Event collected 13,623 pounds of e-wastes for recycling.
  - Most other events are held in conjunction with HHW Events or Collection Programs
  - Provides Grant Support through Hinds County to JSU Computer Refurbishment Program
- MDEQ continues to provide our program to maintain listings of the Certified Electronics Recyclers for State Agencies and Institutions and to Promote E-Waste Recycler Certification.

## Medical Wastes - Pharmaceuticals

- U.S. DEA is administering the recently promulgated Federal “Take Back” Rule. Pharmacies are beginning to develop take-back programs for consumer pharmaceuticals and medications.
- U.S. DEA continuing to sponsor bi-annual take back events for pharmaceuticals with local law enforcement agencies.
  - **UPCOMING EVENT:** October 27, 2018
  - **RECENT EVENT:** April 29, 2018 (Close to One million pounds – nearly 475 tons collected)
  - **TOTAL EVENTS:** 9,964,714 pounds, or 4,982 tons collected since 2010.
- Miss. Department of Public Safety offers local collection points for pharmaceuticals at the State’s Driver’s License Stations.



## Medical Wastes – Household Sharps

- MDEQ's household medical sharps program update:
  - Collection program continues to grow with the addition of more retail pharmacies (adding Freds, Walgreens, etc).
  - Program currently has grown to 372 collection sites across the state.
  - Program is collecting approximately 1 million sharps annually
  - Seeking to add sites in communities without traditional pharmacy collection points (now a solid waste plan component). We will consider alternative facilities such as fire stations, police stations, local health departments, etc.

## Biosolids Update

- EPA made tremendous cutbacks in Federal oversight of biosolids programs, so states are primarily taking the lead in these oversight efforts;
- MDEQ issued a statewide general permit for land application of class B biosolids about 3 years ago;
- MDEQ is approving Class A biosolids through the Mississippi Beneficial Use program. MDEQ has issued five BUDs to class A biosolids for use in the State;
- MDEQ has been meeting and discussing lagoon closures and many of the lagoon closures will be handled through the solid waste programs; and
- MDEQ is evaluating a regulatory change that will allow for a streamlined permit process for short duration land application projects.



## Industrial Wastes – Coal Combustion Residuals

- EPA's CCR Rule went into effect October 19, 2015 enforced through citizen lawsuits;
- The WIN Act was adopted in December 2016 providing authority to states to operate CCR permit programs and authority to EPA to approve those programs;
- EPA released its interim final CCR State permit program guidance in late summer of 2017 for comment;
- EPA released for comment proposed amendments to the CCR Rule in March 2018 to create flexibility for approved state programs;
- EPA has announced plans to propose additional changes to the rule in late 2018;
- MDEQ is planning to adopt the CCR rule by reference into the Nonhazardous Waste Regulations and will make amendments to the State Beneficial Use Regulations.

## Industrial Wastes

- Noncommercial Industrial Landfills
  - Accepted 548k tons of solid wastes for disposal in 2017
- Beneficial Use Program 2017 Numbers :
  - 71 Beneficial Use Determinations have been issued by MDEQ for uses of various material types in the state;
  - Preliminary reporting figures for 2017 indicate that 811,580 tons (down from 1.055 millions tons in 2016) of wastes were beneficially used in Mississippi

## Disaster Debris Management - Federal

- EPA Office of Resource Conservation and Recovery released for comment three draft Planning for Natural Disaster Debris & Related Guidance Documents for comment on April 27, 2018. Comments are due by June 26, 2018.
  - Planning for Natural Disaster Debris
  - Pre-incident All-hazards Waste Management Plan Guidelines: Four-step Waste Management Planning Process; and
  - All Hazardous Waste Management Decision Diagram
- EPA also announced the launch of the online All-hazards Waste Management Planning Tool. The tool is to help users develop a plan based on the documents, There is no formal comment period on the tool, but EPA is interested in feedback users may have on ways in which the tool may be improved.
- <https://www.epa.gov/homeland-security-waste/draft-updates-planning-natural-disaster-debris-guidance-and-related>

## Disaster Debris Management - State

- MDEQ has been working with individual counties on the development of pre-incident disaster debris management plans for FEMA;
- Mississippi Marine Debris Emergency Response Guide – Developed and Released By NOAA and available on MDEQ Solid Waste Home Page
- MDEQ worked previously with Animal Board of Health and NRCS on management plans for animal carcasses and associated wastes in the event of an avian flu incident in the state. MDEQ has a guidance policy for MSW landfills that may accept carcasses from such an incident.
- MDEQ has worked with Dept of Wildlife on management of deer carcasses with Chronic Waste Disease and will continue to develop guidance if the disease is determined spread in the state.

## Hazardous Waste Program Update

- MDEQ Hazardous Waste Program Authorization – Reg changes adopted December 2017, effective 30 days later
- Generator Improvements Rule – MDEQ will propose adoption to the Commission Next Week
  - Allowing a hazardous waste generator to avoid increased burden of a higher generator status when generating episodic waste provided the episodic waste is properly managed and
  - Allowing a VSQG (formerly CESQG) to send its hazardous waste to a large quantity generator under control of the same person.
- E-Manifest Implementation – Will launch June 30, 2018.
- EPA Proposed Rule: Include Aerosol Cans in the Universal Waste Rule (EPA accepting comment on the proposed Rule through May 15, 2018).
- EPA Proposed Rule: Management Standards for Hazardous Waste Pharmaceuticals has not been finalized at this point.
- MDEQ is reviewing adoption of the Defn of Solid Waste (subject to recent court rulings), and Hazardous Waste Import/Export Revisions.

## Other Guidance – EPA Documents

- Solvents in the Workplace – (EPA) How to Determine If They Are Hazardous Waste - new EPA guidance to assist industry with determining when spent and unused solvents must be managed as hazardous waste and includes recycling and reuse techniques, and a question and answer section.
- EPA has released a fact sheet titled: Preventing and Detecting PCB-Contamination in Used Oil – which contains best management practices for commercial and municipal used oil collection centers and used oil recycling facilities.

## For more information:

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