

Waste Program Update

**Mississippi
Department of
Environmental
Quality**

*AIR & WASTE MANAGEMENT
ASSOCIATION SOUTHERN SECTION*

*ANNUAL MEETING & CONFERENCE
HUNTSVILLE, AL*

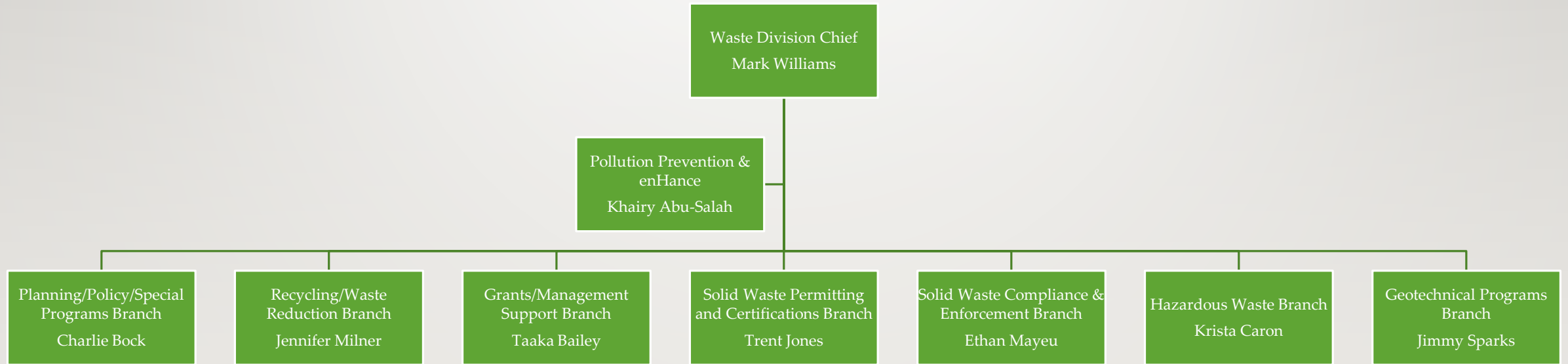
SEPTEMBER 27, 2018



MDEQ Agency Issues

- Resources and Budget Uncertainty
 - Currently operating at 1993 State General Fund Levels.
 - Measured reductions in Some Federal Funds
- Staffing – (Retirements, resignations, training, etc.).
 - MDEQ has lost 65% of our work force in the last 5 years.
 - MDEQ has a third of our work force that has been with the agency for less than 5 years.
- Legislative Issues
 - Public Hearing Flexibility, Otherwise light session,

Waste Division



Waste Division Organization/Staffing

- Waste Division added a *Geotechnical Programs Branch* on August 1, 2018 to manage the following program areas:
 - Manage the Underground Injection Control Program for Class I, Class III, Class IV, and Class IV wells
 - Provide geologic support to the solid waste permitting and compliance programs on groundwater and geologic issues.
 - Provide geologic support to the hazardous waste permitting, compliance, and corrective action areas on groundwater and geologic issues.
 - Provide geologic support to other program areas including the corrective action trust fund for historic landfills, waste tire program, beneficial use, and other program areas.

Waste Division Organization/Staffing

- Jimmy Sparks was appointed Branch Manager of the Geotechnical Programs Branch.
- Charlie Bock was appointed Branch Manager of the Solid Waste Policy, Planning and Special Programs Branch.
- Vacancies currently in our Solid Waste Permitting Branch, Geotechnical Programs Branch, and Solid Waste Compliance Branch that we are working to fill.



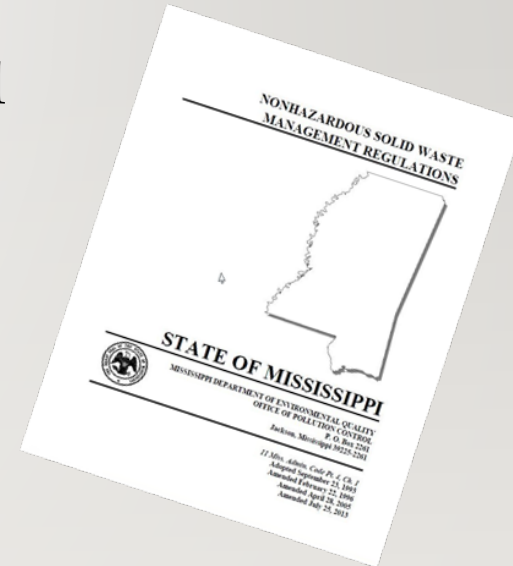
Waste Program Area Updates

Waste Division Program Areas

- Solid Waste Management Programs
- Recycling and Waste Reduction Program
- Pollution Prevention Program
- Hazardous Waste Management Program
- Underground Injection Control Program

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 ensures 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).
- Coal Combustion Residuals Rule
- 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.
- 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 II Rubbish Sites and Municipal Waste Transfer Stations
 - General Permits Expired in 2017
 - MDEQ has administratively continued these general 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 and will provide instructions for re-coverage upon re-issuance
- Individual Permits (MSWLF's, Medical Waste Processors, Land Application sites, etc).

Solid Waste Compliance Issues

- Solid Waste Facility Compliance
 - Leachate Management
 - Daily, Periodic and Final Cover
 - Unauthorized Wastes
 - Failure to File Annual Reports
- Complaints
 - Demolition debris dumping
 - Open Burning
 - Wood waste management

Other State Initiatives

- Mississippi Commission on Environmental Quality approved the State Oil and Gas Board on Regulation of NORM Wastes (Rule 68) in . A condition of the approval was that the updates would be made to the other primary disposal rules (Rule 45);
- MDEQ is working to develop Guidance on Bulk Liquids solidification operations at MSW landfill sites;
- MDEQ has worked with the MDWFP on disposal policies after an incident involving a deer with Chronic Waste Disease in the west central area of Mississippi.
- MDEQ has also worked with the State Board of Animal Health on the disposal policies involving poultry infected with avian influenza.



Solid Waste Planning Update

- Every County and Municipality in Mississippi must have a 20-year local solid waste management plan.
- Working with counties, cities and authorities to update comprehensive 20-year Solid Waste Plans.
 - Provide planning grants to communities to assist in developing the new, updated solid waste plans
 - Advising local governments and disposal facilities where capacity is identified at less than 5 years of life



Solid Waste Planning Update

- Updated Comprehensive SWM Plans have been completed for 42 counties and numerous municipalities (51% of counties);
- 5 additional counties have draft plans under review with MDEQ currently (8.5%);
- 12 counties are in the midst of development of their updated solid waste plans (14.5%)
- Planning grants made to Tunica, Coahoma, Leflore, Neshoba and Smith Counties that are all developing updated, plans.

Solid Waste Reporting

- MDEQ's Electronic Reporting Initiative For Solid Waste Facility Reporting currently under development:
 - MDEQ expects to formally roll out the solid waste facility reporting system in January, 2019.
 - MDEQ expects to roll out a new recycling reporting system in January 2019 that will initially be voluntary, with the ultimate goal of mandatory reporting.

Solid Waste Facility Reporting

- 2017 Annual Facilities Reports indicates the following:
 - Total Landfilled: 5.265 million tons (up from 5.065 million tons in 2016)
 - 4.942 million tons of wastes disposed at commercial disposal sites (up from 4.631 million tons in 2016)
 - 322,135 tons* of wastes disposed at non-commercial disposal sites (down from 434,020 tons) * *does not include facilities claiming conf biz info*

Solid Waste Facility Reporting

- 2017 Annual Facility Reports indicates the following amounts of wastes managed at non-disposal facilities:
 - Land Application Facilities: 32,717 tons (up from 29,754 tons in 2016)
 - Composting Facilities – 25,464 tons (up from 19,569 tons in 2016)
 - Processing Facilities – 104,408 tons (up from 96,672 tons in 2016)
 - Transfer Stations – 933,955 tons (up from 881,257 tons in 2016)

Waste Tire Program

- 5 to 5.5 Million Passenger Tire Equivalents are collected and processed annually in Mississippi; (approx. 50% from out-of-state sources)
- Approximately 94% (4.53 million) of these tires were processed for recycling purposes;
- Approximately 736,000 PTE's were collected through local government waste tire collection programs and 94% of these were recycled;
- MDEQ has approximately 113 active registered haulers, 9 commercial processing/collection sites and 154 local government collection sites.

Electronics Management

- MDEQ continues to promote Local E-Waste Collection and Recycling Events Around the State:
 - Fall Business - Electronics Waste Collection Day at the Mississippi Farmers Market located at 929 High Street in Jackson this **Friday, November 2, from 8:00 a.m. to 2:00 p.m.** (over 13K lbs collected at Spring event).
 - Most other events are held in conjunction with HHW Events or Collection Programs
 - Provides Grant Support through Hinds County to JSU Refurbishment Program
- MDEQ has implemented our program to maintain listings of the Certified Electronics Recyclers for State Agencies and Institutions and to Promote E-Waste Recycler Certification.
- MDEQ seeing significant problems locally with televisions and monitors and sham recyclers.

Biosolids Update

- MDEQ issuing a statewide general permit for land application of class B biosolids in the Fall 2015.
- 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 working to update the Lagoon Closure Guidance to include options for Beneficial Use, General permits, etc.
- Evaluating a regulatory change that will allow for a streamlined permit process for short duration projects.

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.
 - *NEXT EVENT*: October 27, 2018 from 10:00 a.m to 2:00 p.m.
- Miss. Department of Public Safety offers local collection points for pharmaceuticals at the State’s Driver’s License Stations.
- Various local law enforcement agencies around the state offer collection points.



Medical Wastes – Household Sharps

- MDEQ's household sharps program update:
 - Collection program continues to grow with the addition of more retail pharmacies (adding Freds, Walgreens, etc).
 - Program currently has grown to 381 collection sites across the state.
 - Added household sharps “collection assessments” to solid waste planning guidance;
 - Seeking to add sites in communities without traditional pharmacy collection points. We will consider alternative facilities such as fire stations, police stations, local health departments, etc.

Industrial Wastes

- MDEQ is working to meet the Federal requirements to administer the Federal Coal Combustion Residuals Rule in Mississippi.
 - MDEQ is working to dovetail our solid waste permit requirements with the current CCR Regulations.
 - MDEQ intends to adopt the Federal Coal Combustion Regulations (possibly by reference).
 - MDEQ intends to pursue Federal delegation to manage the CCR permit program in Mississippi.
- MDEQ's Industrial Wastewater Lagoon Closure Guidance is in a usable draft format.

Industrial Wastes

- Beneficial Use Program 2017 Numbers :
 - 81 Beneficial Use Determinations have been issued by MDEQ for uses of various material types in the state. Approximately 55 of these remain active;
 - Current reporting figures for 2017 indicate that 811,581 tons of wastes were beneficially used in Mississippi
 - 711,144 tons for construction and
 - 99,022 tons for soil amendment purposes.
 - 1,414 tons of “other” purposes
- 4 New BUD’s have been issued by MDEQ in late 2017 and 2018.

Solid Waste Grants Programs

- Awarded total of \$3.5 M in Grants in FY 2018
- Solid Waste Assistance Grants (SWAG)– FY 2018
 - \$1,156,533 - Total Non-Competitive Grants (60 Counties Received Non Competitive Grants)
 - \$1,080,496 - Total Competitive Grants (38 Municipalities and Counties Received Competitive Grants)
- Waste Tire Assistance Grants – FY 2018
 - 21 new waste tire grants made to local and regional government organizations totaling \$1,160,133

Solid Waste Grants Programs

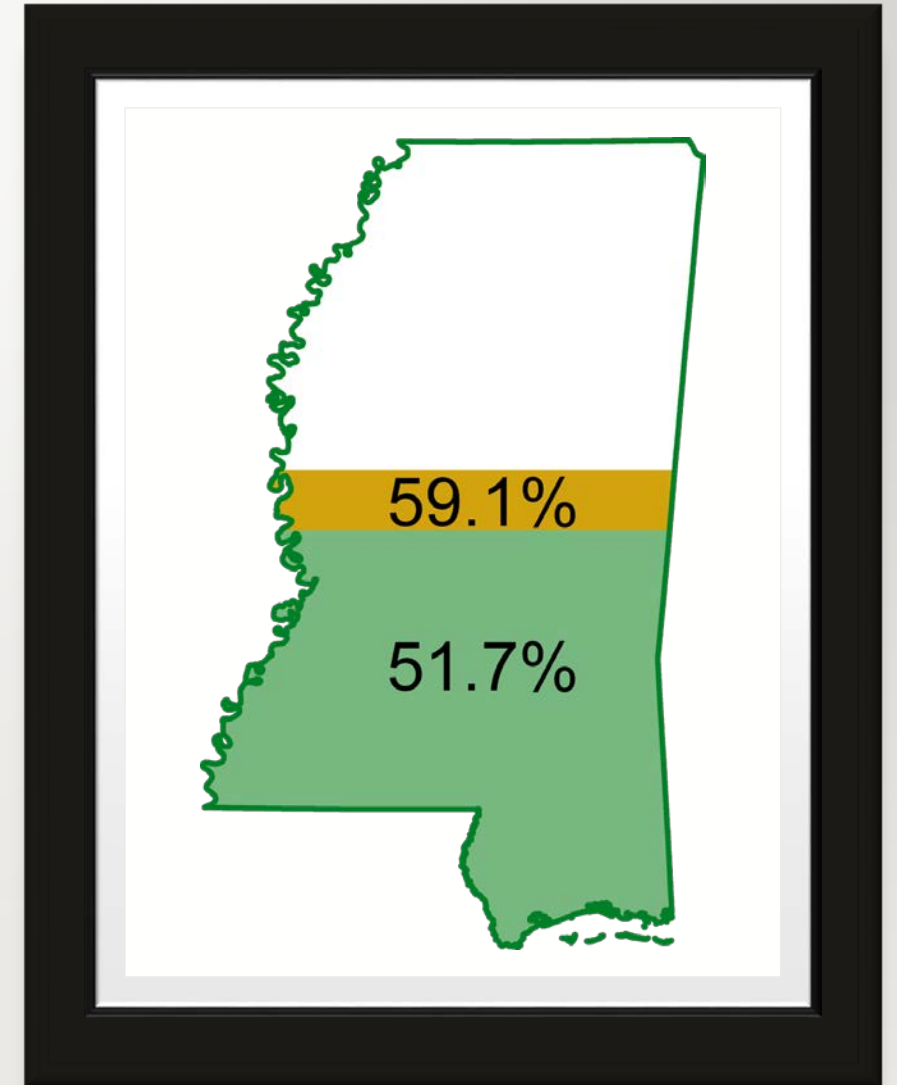
- Solid Waste Assistance Grants (SWAG)– FY 2018:
 - October 1, 2017 Grants Cycle – MDEQ awarded 15 Competitive Grants for \$620K in awards
 - April 1, 2018 Grants Cycle - MDEQ awarded 31 Competitive Grant proposals. Made \$822K in awards
 - Total FY 2018 Awards – \$1.442 million in Competitive SWAG Awards

Recycling Update – State Vision

- Grow recycling access for the State's residents and businesses
- Conduct and support Public Outreach and Educational Efforts Across the State
- Support and strengthen Recycling Businesses/Organizations
 - Work with MRC to support recycling industries in the state
- Work to develop and strengthen commodity markets
 - Work with SERDC and MRC to build regional domestic recycling capacity
- Establish appropriate reporting and measurement systems

Growing 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

- **Regional Recycling Cooperative Grants – Developing FOA for release in early 2019**
 - Will provide funding for collection upgrades (bins to carts, drop-off to curbside, expansion of drop off);
 - Will provide funding for upgrading, expanding, converting or installing new transfer stations;
 - Will promote partnerships with private sector material sorting facilities;
 - Will promote partnerships between regional local governments;
 - Will provide funding for local public outreach and education, particularly on contamination/material quality issues;
 - Will require all grant recipients to participate in MDEQ's annual reporting system.

MDEQ - Pollution Prevention Program

- Continuing contractual partnership with the Manufacturing Extension Partnership of the MS Manufacturing Association to provide continued technical assistance to Mississippi industry on waste reduction and pollution prevention opportunities.
- enHance environmental leadership program completed 10th Year. Deadline for manufacturers, businesses, municipalities and counties, and other organizations to apply is September 30, 2018. More information: www.enhance.ms
- Sponsoring a sustainability workshop for the Food and Beverage Manufacturing Sector in Mississippi at MDEQ's Jackson offices, Friday, September 28th 2018.

Hazardous Waste Program Update

- MDEQ submitted the FY 2019 RCRA Work Plan to EPA in July, 2018 containing this year's commitments by MDEQ to EPA
- MDEQ has completed and submitted the required regulatory adjustments, modifications and corrections to the Mississippi Hazardous Waste Management Regulations to complete our Re-Authorization for Clusters. A public notice has been drafted by EPA soliciting public comments on MDEQ's RCRA program re-authorization. We anticipate notice to be published in the coming weeks.

Final Rule: Hazardous Waste Generator Improvements

- Rule published on Sept. 25, 2015, comment period ended Dec. 24, 2015, Final Rule was adopted on October 28, 2016 and published in the Fed Reg on Nov. 28, 2016.
- MS Commission on Environmental Quality adopted the Hazardous Waste Generator Improvements Rule on May 24, 2018. The Rule become final 30 days later without appeal.
- Rule proposes an update to the hazardous waste generator regulations to make the rules easier to understand, facilitate compliance, provide greater flexibility in how hazardous waste is managed, and close important gaps in the regulations.
- Two key provisions where EPA is proposing flexibility are:
 1. 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
 2. Allowing a conditionally exempt small quantity generator (CESQG) to send its hazardous waste to a large quantity generator under control of the same person.

Hazardous Waste Regulatory Update

- MDEQ will be considering the adoption and incorporation of new Regulations in the Mississippi Hazardous Waste Management Regulations in early 2019. Those rules under consideration and review include:
 - Definition of Solid Waste (DSW)
 - Hazardous Waste Export-Import Revisions
 - E-Manifest Fee Rule

Final Rule: Hazardous Waste Export-Import Revisions

- Final Rule signed on October 28, 2016 and published in the Federal Register on November 28, 2016;
- Rule would amend existing regulations regarding the export and import of hazardous wastes from and into the U.S. Provides for increased transparency, data sharing and more efficient compliance monitoring for international shipments.

E-Manifest Program Implementation

- MDEQ has enabled the MyRCRAId functionality, which enables users to update user information and establish online user permissions for sites.
- E-manifest is fully implemented in Mississippi. The program is not delegable to the States to enforce, however Mississippi is still required to adopt both E-manifest Rules in order to maintain regulatory equivalency. The 1st Rule was adopted in October 2015.
- MDEQ anticipates adopting the second E-manifest Rule (Fee Rule) in early 2019.

Proposed Rule: Management Standards for Hazardous Waste Pharmaceuticals

- Rule published on Sept. 25, 2015 and comment period ended Dec. 24, 2015;
- Proposes tailored, sector-specific set of regulations for the management of hazardous waste pharmaceuticals by healthcare facilities and reverse distributors. It will provide standards to ensure the management of hazardous waste pharmaceuticals is safe and workable within the healthcare setting.

Underground Injection Control Program

- MDEQ regulates the Class I, III, IV and V wells in Mississippi. The Mississippi Oil and Gas Board has jurisdiction over Class II wells.
- MDEQ issued our first, commercial nonhazardous class I injection well permit for a facility in Amite County, Mississippi for the disposal of salt water brine from oil and gas exploration and municipal landfill leachate.
- MDEQ is in the process of issuing a demonstration approval for 2 class V wells that are part of an aquifer recharge project in Leflore County, Mississippi
- MDEQ is currently evaluating our UIC regulations for updates as part of our Water Pollution Control Regulations.

For more information:

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