


BLACK HAWK COUNTY SOLID WASTE MANAGEMENT COMMISSION

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DATE: September 16, 2004

TO: Jeff Myrom
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FROM: Gary Lee Wilcox 

SUBJECT: Rules conformance to Subtitle D

Jeff,

As long as changes are being considered to gain conformance between the Iowa rules and Subtitle D, I just wanted to pass along a couple of personal comments regarding changes I would like to see. Please be aware that these are personal comments and do not necessarily reflect the position of the Commission and they may not be supported by some other agencies.

1. If there's any way possible, I would like to see the provisions of Title 40 258.28 relative to liquids incorporated in the Iowa rules. With an operation like ours, where we have a Subtitle D lining, a leachate collection system and a waste water pretreatment agreement with a POTW for leachate discharge, there appears to be no scientific basis for exclusion of small quantities of free liquids in MSW. Unfortunately, a total ban on free liquids is essentially unenforceable and prevents us from managing some wastes for which landfill disposal may be the most cost effective and environmentally correct method available.

2. I personally would like to see the load inspection requirements of 40 CFR 258.20 regarding load inspection and exclusion of hazardous wastes included in the Iowa rules. Iowa has actually banned materials in addition to the federally excluded ones, yet doesn't appear to include a load inspection requirement. I know that a number of landfills have implemented their own inspection programs, but I have been unable to initiate one locally in the absence of a requirement in the state rules.