

CHAPTER 15

SOLID WASTE MANAGEMENT RULES & REGULATIONS

Section 1. Authority.

(a) General provisions: The Wyoming Environmental Quality Act, Article 5, Section 35-502.42 through 44 (Cumulative Supplement 1973) authorizes the Director of Environmental Quality to:

(i) Coordinate the activities of all State agencies concerned with Solid Waste Management and disposal. (35-502.42)

(ii) Promulgate Rules and Regulations for operation of Solid Waste disposal sites. (35-502.44)

(iii) Request Solid Waste disposal site plans for approval from any person or municipality that proposes to establish or is presently operating a Solid Waste Disposal site. (35-502.43)

(b) Existing state statutes regulating solid waste disposal practices:

(i) 35-196: Prohibits industries from dumping refuse in any water body.

(ii) 35-462: Prohibits all waste disposal practices that constitutes either a nuisance or a potential source of water pollution.

(iii) 35-463: Provides a fine of not less than \$50 or more than \$200 or a jail term not to exceed six (6) months for violation of Statute 35-462.

(iv) 35-464: Prohibits the disposal of sawdust in any water body.

(v) 35-465: Provides for a fine not to exceed \$100 for the improper disposal of dead animals.

(vi) 35-466: Prohibits the littering of public rights of way.

(vii) 35-502.16: No person shall cause, threaten or allow the discharge or emission of any air contaminant in any form

so as to cause pollution which violates rules, regulations and standards adopted by the administrator after consultation with the advisory board.

(viii) 35-502.18: No person, except when authorized by a permit issued pursuant to the provisions of this act, shall:

(A) Cause, threaten or allow the discharge of any pollution or wastes into the waters of the state;

(B) Alter the physical, chemical, radiological, biological or bacteriological properties of any waters of the state;

(C) Construct, install, modify or operate any sewerage system, treatment works, disposal system or other facility, capable of causing or contributing to pollution;

(D) Increase the quantity or strength of any discharge;

(E) Construct, install, modify or operate any public water supply.

(c) Legislation assisting counties and municipalities.

(i) 9-18.13 through 9-18.20 "Wyoming Joint Powers Act". This Act gives two or more agencies the power to jointly plan, create, finance and operate:

(A) Water sewerage or Solid Waste facilities.

(B) Recreational facilities.

(C) Police protection agency facilities.

(D) Fire protection agency facilities.

(E) Transportation systems facilities.

(F) Public school facilities.

(ii) 15.1-410(i) Enrolled Act #98.

(A) Improvements authorized: In addition to all

other powers provided by law, any city or town may make public improvements, for which bonds may be issued to the contractor, or be sold as provided in this chapter:

(I) To plan, create, construct and equip liquid and solid waste facilities. To carry out this power or to prevent pollution or injury to the environment, any city or town may go beyond its corporate limits and take hold and acquire property by purchase or otherwise, or in joint effort with cities, towns, counties or special districts. Cities or towns may enact ordinances and make all necessary rules and regulations for the government and protection of liquid and solid waste disposal facilities, and fix rates and provide for collection and disposal.

(iii) 18-330.30 through 18-330.34. Enrolled Act #109. Solid Waste Disposal Districts. An Act giving county commissioners the authority to:

(A) Establish by resolution one (1) or more solid waste disposal districts.

(B) Exercise all powers granted to cities and towns by W.S. 15-1-3 (19) and (39) to adopt rules and regulations in managing the disposal of solid wastes within the district.

(C) Levy a tax upon the taxable property within a solid waste disposal district.

Section 2. Definitions. For the purpose of these Regulations the following terms shall have the meaning or interpretations set out below and shall be used in conjunction with, and as supplemental to, those definitions contained in W.S. Section 35-502.3.

(a) "Cell" means compacted solid wastes that are enclosed by natural soil or cover material in land disposal site.

(b) "Construction/Demolition Landfill" means a solid waste disposal site that accepts only construction waste, demolition waste and/or brush. This does not include garbage, liquids, sludges, paints, solvents, putrescibles, dead animals and hazardous or toxic waste which will be prohibited from being disposed of in this type site.

(c) "Cover Material" means soil or other suitable material that is used to cover compacted solid wastes in a land disposal

site.

(d) "Daily Cover" means six inches of cover material that is spread and compacted on the top and side slopes of compacted solid wastes at the end of each operating day in order to control vectors, fire, moisture and erosion and to assure an aesthetic appearance.

(e) "Final Cover" means cover material that is used to completely cover the top of a landfill. This cover is at least twenty-four inches thick.

(f) "Facility" means any solid waste disposal area, site, process, or system and the operation thereof including, but not limited to personnel, equipment and buildings.

(g) "Garbage" means any putrescible solid or semi-solid animal and/or vegetable waste material resulting from the handling, preparation, cooking, serving and consumption of food.

(h) "Ground Water" means any water found beneath the surface of the earth.

(i) "Hazardous Waste" means any waste or combination of wastes which pose a substantial present or potential hazard to human health, the environment, and plants or animals because such wastes are nondegradable or persistent in nature or because they can be biologically magnified, or because they can be lethal, or because they may otherwise cause or tend to cause detrimental cumulative effects.

(j) "Incineration" means the controlled process by which combustible solid, liquid or gaseous wastes are burned and changed into noncombustible gases and other residues.

(k) "Incinerator" means a controlled facility consisting of one or more chambers or furnaces in which wastes are burned.

(l) "Industrial Landfill" means a disposal facility utilizing an engineered method of disposing of industrial solid waste on land without creating a hazard to the public health, the environment, plants or animals.

(m) "Industrial Solid Waste" means waste resulting from, or incidental to, any process of industry, manufacturing, mining or

development of any agricultural or natural resources. This does not include waste materials, the discharge of which is subject to the rules and regulations of the Water Quality Division or mining materials subject to the Land Quality Rules and Regulations.

(n) "Leachate" means liquid that is the result of the percolations of fluids through solid waste and which consists of chemicals and microbial waste products from the solid waste in a dissolved or suspended state.

(o) "Letter of Approval" means the written approval from the Department to construct and/or operate a solid waste disposal facility.

(p) "Modified Landfill" means an adaptation of sanitary landfill, differing only in that coverage with a layer of earth is applied to deposited refuse at a frequency less than daily.

(q) "Municipality" means a city, town, county, district, association or other public body.

(r) "Municipal Solid Waste" means solid waste resulting from or incidental to residential, community, trade or business activities, including garbage, rubbish, ashes, street sweepings, dead animals, abandoned automobiles and all other solid waste other than industrial solid waste.

(s) "New Facility" means any facility which requires new or additional construction, such as access roads, fencing, surface water diversion, etc. or the working area is not included in a plan which has been previously submitted to and approved by the Department.

(t) "Open Burning" means uncontrolled burning of solid waste in the open.

(u) "Open Dump" means an uncontrolled solid waste disposal site at which solid wastes are dumped in the open in such a manner that they present a real or potential hazard to public health and the environment.

(v) "Person" means an individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, municipality or any other political subdivision

of the state, or any interstate body or any other legal entity.

(w) "Plans" means maps, drawings and narrative description, prepared to describe the solid waste disposal facility and its operation.

(x) "Processing Plant" means a facility used or designed to transfer, shred, grind, bale, compost, salvage, separate, reclaim, or provide other treatment of solid wastes.

(y) "Promiscuous Dumping" means the unauthorized deposition of solid waste in an area that is not approved by the Department as a solid waste disposal site.

(z) "Public Road" means a road which all the people have a right to use, or which all the people have used, or which are under the control of governmental instrumentalities and maintained at public expense.

(aa) "Refuse" means any putrescible or nonputrescible solid waste, except human excreta, but including garbage, rubbish, ashes, street sweepings, dead animals, offal and solid agricultural, commercial, industrial, hazardous, institutional, demolition and construction wastes.

(bb) "Sanitary Landfill" means a method of disposing of refuse on land without creating nuisances or hazards to public health or safety by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation or at such more frequent intervals as may be necessary. (American Society of Civil Engineers)

(cc) "Salvaging" means the controlled removal of solid waste for the purpose of reuse.

(dd) "Scavenging" means the uncontrolled removal of solid waste by unauthorized persons.

(ee) "Sludge" means the accumulated semi-liquid suspension of settled solids.

(ff) "Solid Waste" means garbage, and other discarded solid materials resulting from industrial, commercial and agricultural

operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

(gg) "Solid Waste Disposal Site" means any facility that processes, transports or disposes of solid waste.

(hh) "Vector" means a carrier, usually an arthropod, capable of transmitting a pathogen from one organism to another.

(ii) "Water Table" means the upper water level of a body of ground water.

(jj) "Working Face" means that portion of the land disposal site where solid wastes are being deposited and are being spread and compacted prior to the placement of cover materials.

Section 3. Applicability. The Rules and Regulations contained herein shall apply to any person, government or governmental subdivision, corporation, organization, partnership, business trust, association, district or other entity involved in any aspect of the management, control or disposal of solid waste. Section 11. c. (i) of these regulations are effective upon final approval of a state program pursuant to P.L. 95-87.¹

Section 4. Objectives. The objectives of these rules and regulations are to provide minimum standards for the management and disposal of Solid Waste in order to protect the health, safety and welfare of the people and prevent the degradation of the environment.

Section 5. Scope. The Rules and Regulations promulgated herein shall cover all aspects of solid waste management as provided under the authority of the previously cited legislation.

Section 6. Severability. If any section or provision of these regulations, or the application of that section or provision to any person, situation, or circumstance is adjudged invalid for any reason, the adjudication does not affect any other section or provision of these regulations or the application of the adjudicated section or provision to any other person, situation, or circumstance. The Environmental Quality Council declares that it would have adopted the valid portions and applications of these

regulations without the invalid part, and to this end the provisions of these regulations are declared to be severable.

Section 7. Operation Classification.

(a) Operational standards: The operational standards prescribed in the following sections are the minimum requirements for the various types of solid waste facilities and are based on population density and types of solid waste handled. Facilities are classified according to the amount and degree of treatment required.

(b) Types of Operations.

(i) Type I Operation: Type I operations are those facilities which serve a minimum resident population of 3,000 or process a minimum of 2100 tons of solid waste per year. Type I solid waste disposal shall be accomplished by sanitary landfill, incineration, composting, or other acceptable methods which are approved by the Department.

(ii) Type II Operation: Type II operations are required as a minimum for municipalities or other areas, or any combination, thereof, serving a resident population of less than 3,000 but greater than 1,000. A Type II operation shall not be located within 1,000 feet of any public road, residence, water way, or water well unless the Department, after an on-site inspection, determines that the operation is not and/or will not create a nuisance or detriment to the environment or public health. Type II solid waste disposal facility shall be accomplished by a modified landfill (using a minimum of once-per-week compaction and cover) or any other equally acceptable method which is approved by the Department. The Department may require a more frequent application of cover for sites which serve areas with an influx of tourists during certain months of the year.

(iii) Type III Operation: Type III operations are required as a minimum for municipalities or other area, or any combination thereof, serving a resident population of less than 1,000. A Type III operation shall not be located within 1,000 feet of any public road, residence, waterway or waterwell unless the Department, after an on-site inspection, determines that the operation is not and/or will not create a nuisance or detriment to the environment or public health. Type III solid waste disposal shall be accomplished by a modified landfill (using a minimum of once-per-

month compaction and cover), or any other equally acceptable method which is approved by the Department.

(iv) Construction/Demolition/Brush Fill: The construction/demolition fill shall be accomplished as described for a Type III landfill.

(v) Industrial Landfill: Each industrial landfill operation must have the written approval of the Department. This can be accomplished by the Department approving plans and design criteria formulated and submitted by a qualified Solid Waste Management person and by an on-site inspection by an employee of the Department. Each industrial site will be evaluated on an individual basis by the Department.

(vi) Hazardous Waste Facility: Each hazardous waste facility shall be accomplished as described for an industrial landfill.

Section 8. Facility Construction and Operation Approval.

(a) New facilities: Each person planning to construct and operate a solid waste facility shall submit construction and operating plans to the Department for approval. New facilities are required to have letters of approval for both the construction and operation of the facility. These plans shall include, but not be limited to, the following:

(i) A legal description of the property to be used for a facility.

(ii) Map or aerial photograph of the area showing land use and zoning within one-half mile of the solid waste disposal site. The map or photograph shall be of sufficient scale to show all residences, industrial water courses, buildings, waterwells, roads and other applicable details and shall indicate the site and the adjoining general topography. Surface ownership of the proposed lands shall also be indicated on the map or photograph.

(iii) Plot plan of the site showing dimensions, location of soil borings, where applicable, proposed trenches and filled areas where applicable, winter cover stock piles, fencing, and original and proposed fill elevations. The scale of the plan should not be greater than 200 feet per inch.

(iv) A written report shall accompany the plans indicating:

(A) The proposed starting date of construction and the estimated completion date.

(B) Population and area normally served by the site. If applicable, give the population served and number of months the site will be affected by the influx of tourists.

(C) Projected life of the site.

(D) Anticipated type (municipal, industrial, commercial, agricultural, hazardous waste), estimated quantity (cubic yards, tons, pounds), and source (city, county, industrial, etc.) of solid waste handled at the site.

(E) Geological formations and soil analysis to a depth of at least 15 feet below proposed excavations and the lowest elevation of the site. Such data shall be obtained by soil borings or other appropriate means. This information can usually be obtained from the Soil Conservation Service, U.S.G.S. or a log from a well in the area. If soil borings are used, there should be a maximum of two per 5 acres in areas of variable topography and geology and/or two per site area in areas of uniform topography and geology. The borings should be taken at the highest and lowest elevations of the proposed use area.

(F) Estimated depth to the highest ground water table and basis on which estimation was made.

(G) Source and characteristic of cover material and method of protecting cover material for winter operation.

(H) Type and amount of equipment to be provided at the site for excavating, earth moving, spreading, compaction and other needs.

(I) Name, address, telephone number of persons responsible (Plant engineer, supervisor, director of public works, city engineers, etc.) for actual operation and maintenance of the site and intended operating procedure.

(J) Method of handling bulky items, dead animals, and other special materials.

(K) Method by which the surface and ground water will be protected from contamination. (Diversion ditches, drain pipes, impermeable liners, etc.)

(L) Type of fire protection which will be provided. (Fire department, water supply, stockpiled soil, fire lanes, etc.)

(M) Reclamation of site and planned reuse.

(v) The design of the solid waste facility shall include one or more topographic maps at a scale of not over 200 feet to the inch with five foot contour intervals. These maps shall show: the proposed fill area (where applicable), any borrow area, access roads, grades for proper drainage of each lift, special drainage devices if necessary; fencing; equipment shelter; existing and proposed utilities; and all other pertinent information to clearly indicate the orderly development, operations, and completion of the facility.

(vi) Four copies of these plans shall be submitted to the Department for evaluation and approval. A fifth copy shall be filed in the county clerk's office for public perusal in the county in which the site will be operated. The submitted plans for a new facility will be evaluated and an on-site inspection of the area will be made by an employee of the Department within sixty (60) days after the receipt of the plans by the Department. The person responsible for the facility will be notified in writing within fifteen days after the inspection of the approval or disapproval for the construction of the facility. When the construction phase of the facility is near completion the person responsible will notify the Department and another on-site inspection will be made by a representative of the Department. If the construction phase is satisfactory a letter of approval for operating will be issued within fifteen (15) days from the date of the inspection. If the construction of the proposed site is unsatisfactory, the person responsible will be notified in writing within fifteen days from the date of the inspection as to the deficiencies. The Department will provide the necessary recommendations for correction. The letter of approval for operation will be valid for a period of one (1) year from the date of the letter. Periodic inspections will be made of the facility by representatives of the Department to insure conformity with the plans and the rules and regulations. Letters of approval for operation will be issued on a yearly basis. Operating plans will not be needed after initial approval unless they

are requested by the Department.

(b) Existing facilities: All existing facilities will be required to submit operating plans to the Department. These plans should include, but not be limited to, the following:

(i) Map or aerial photograph of the area showing land use and zoning within one-half mile of the solid waste disposal site. The map or photograph shall be of sufficient scale to show all residences, industrial buildings, water wells, water courses, roads and other applicable details, and shall indicate the general topography.

(ii) A written report shall accompany the map or photograph indicating:

(A) Location of the site.

(B) Population and area normally served and if applicable, the population served and number of months the site is affected by the tourist trade.

(C) Name, address, telephone number of responsible persons.

(D) The type, estimated quantity, and source (city, county, industries, etc.) of solid wastes handled at the site.

(E) Geological formations and soil analysis to a depth of at least 15 feet below proposed excavations and the lowest elevation of the site.

(F) Depth to the highest ground water table in the area.

(G) Type of cover material and frequency of cover.

(H) Type and amount of equipment provided at the site.

(I) Number and duties of personnel at the site.

(J) Hours and days of operation.

(K) Method of handling bulky items, dead animals and

other special materials.

(L) Method by which the surface and ground water is protected from contamination. (Diversion ditches, drainage pipes, liners, etc.)

(M) Type of fire protection available. (Fire department, water supply, stockpiled soil, fire lanes)

(N) Type of access road (is it an all weather road).

(O) Method for controlling blowing material. (Catch fences, watering, etc.)

(P) Is an inclement weather disposal site provided?

(Q) Any other pertinent information that may assist the Department in evaluating the site.

(iii) After the plans are submitted, they will be evaluated and an on-site inspection will be made by an employee of the Department within sixty (60) days from the date the plans are received. The person in charge will be notified in writing within fifteen (15) days after the inspection as to the results of the inspection. If the evaluation of the site indicates that it is not being operated in compliance with Section 10 of these Rules and Regulations, the person responsible will be notified in writing of the deficiencies and recommended corrections. The person responsible shall reply to the Department in writing as to the steps that will be taken to correct the deficiencies and the expected time period for the corrections. The Department after consultation with the person responsible will issue a compliance schedule for the proposed corrections. If the facility is in compliance with the Rules and Regulations a letter of approval for operation will be issued which will be valid for a period of one (1) year from the date of the letter. Periodic inspections will be made of the facility by representatives of the Department to insure conformity with the plans and the Rules and Regulations. Letters of approval for operating will be issued on a yearly basis. Operating plans will not be needed after initial approval unless requested by the Department.

(c) Preparation of data: Data presented in support of Types I, II and III operations and data for industrial and hazardous wastes sites shall be prepared by a qualified Solid Waste Manage-

ment person.

(d) Change or transfer of letter of approval: In the event that any person the possession of a letter of approval for the construction and/or operation of a solid waste disposal facility decides to substantially change or modify construction or operating procedures, or transfer the letter of approval to another person, he must get prior written approval from the Department.

(e) Revocation of approval to operate: In the event that a person does not comply with the submitted plan, or the Rules and Regulations, the letter of approval for site operation can be withdrawn by written notice from the Department. Such a notification shall include the reasons for the withdrawal of approval and it will become effective twenty (20) days from the mailing date of such notice, unless within that time the holder of the letter of approval requests a hearing before the Environmental Quality Council. Such a request for hearing shall be made in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the Rules of Practice and Procedure of the Department. If the person so notified does not respond within the twenty-day period or the Council judges that the letter of approval should be withdrawn, the site will be considered in noncompliance and will be subject to the penalties as prescribed under Article 9.35-502.49 of the Environmental Quality Act.

(f) Research on experimental disposal of solid waste: Special considerations may be given on an individual basis by the Department for any research or experimental disposal of solid wastes.

Section 9. Public Participation. The Department will post a notice in the area newspaper for a period of one (1) week. A copy of the plans for the site will be on file at the county clerk's office in the area of the proposed site. Any person or persons wishing to comment on the installation of a new solid waste disposal site will have twenty (20) days from the date of the first newspaper publication in which comments can be submitted in writing to the Department. If substantial adverse comments are received, a public hearing will be called by the Department.

Section 10. Minimum Standards of Operation.

(a) Sanitary Landfill (Type I operation): To comply with minimum standards each Type I operation must meet or exceed the

following requirements:

(i) Each day's deposits of solid waste shall be compacted to the smallest practical volume and a six-inch layer of acceptable cover material shall be placed and compacted over the solid waste at the end of each working day. A minimum of two feet of acceptable cover material shall be placed over any completed segment or cell of the site in such a manner that effective surface drainage will be obtained.

(ii) The working face of the site shall be confined to the smallest practical area in order to control the exposed waste without interfering with operational procedures.

(iii) Adequate fencing shall be provided in order to prevent the access to the site by livestock and large wild animals.

(iv) Adequate fencing shall be provided to catch wind-blown material. All windblown material shall be collected by attending personnel and returned to the working face once per week or as necessary to prevent the site from becoming unsightly.

(v) Adequate provisions shall be made for operating during adverse weather conditions. This may be accomplished by providing an emergency disposal area which can be utilized during bad weather.

(vi) Surface water shall be prevented from entering onto, into or out of the deposited solid waste.

(vii) Solid waste shall not be deposited nearer than 500 feet to a drinking water supply well, stream, reservoir, lake, water treatment plant, or raw water intake which furnishes water to a public water system or for human consumption unless engineering data supplied to the Department shows there is no danger of the contamination of these waters.

(viii) Reasonable precautions shall be taken to prevent leachate from the solid waste from entering the surface or ground water.

(ix) The Department, at its discretion, may require monitoring wells, provided by the responsible person, in order to observe any changes in the quality of the ground water.

(x) No burning of solid waste shall be conducted at any site without the written permission of the Department.

(xi) Adequate equipment shall be provided for excavating, compacting, and covering.

(xii) Adequate personnel or signs shall be provided at each site to give directions for the unloading of refuse.

(xiii) All weather access roads shall be provided at each site.

(xiv) A fire lane (minimum 10 feet wide around the perimeter of the site) and other fire protection shall be provided at each site. This may be accomplished by a water supply, stockpiled earth, nearby fire department, or other acceptable means.

(xv) Hazardous materials may be disposed of in a municipal solid waste disposal site only if the Department gives special written permission. This permission can be obtained by submitting in writing the type, physical composition and chemical composition of the waste and the special procedures and precautions to be taken in handling and disposing of the hazardous waste. There will be some types of hazardous waste that will not be allowed to be deposited in a municipal site. Special directions for the disposal of these wastes will be given by the Department.

(xvi) Salvaging and reclamation, if permitted, will be conducted in such a manner as not to interfere with normal operating procedures.

(xvii) The site shall be operated in such a manner so as to control insects and rodents. Additional control in the form of pesticides may be required.

(xviii) Scavenging and animal feeding or grazing by domestic livestock shall not be permitted on the site.

(xix) Adequate provisions shall be made for the handling and disposal of bulky waste. If this type material cannot be combined with normal municipal refuse, a separate unloading or alternate area shall be provided on-site for the handling and ultimate disposal of large or bulky items. These items (junk cars, tires, tree stumps, appliances, etc.) shall not be stored on-site in such a manner or for periods of time that they will create a public

nuisance, fire hazard, public health hazard, or detriment to the environment.

(xx) Special provisions shall be made for the acceptable disposal of dead animals. Dead animals should be covered with six inches of cover material upon disposition. Small animals can be worked into the operating face of the landfill, but provisions should be made for the disposal of large dead animals.

(xxi) When a site is completed or disposal operations are temporarily suspended, all refuse in the area shall be covered with at least two feet of topsoil and reseeded if sufficient vegetation is not available to stabilize the surface. The person who received the written approval of the Department will be responsible for the repair of any eroded, cracked and uneven areas for a period of three (3) years after completion of the site.

(xxii) The person who was given permission to operate will be responsible for controlling any gases or leachate from a site for a period of five (5) years after completion of the site.

(xxiii) Street sweepings may be stored temporarily or utilized in areas where they do not create public nuisances, aesthetic degradation, or public health hazards.

(b) Type II Operation (modified landfill): To comply with minimum standards, each Type II operation must meet or exceed all standards required of a Type I operation except a six-inch well-compacted cover material will be required only once per week.

(c) Type III Operation (modified landfill): To comply with minimum standards, each Type III operation must meet all the requirements of a Type I and II operation except a six-inch well-compacted cover material will be required only once per month.

(d) Demolition/Construction/Brush Landfill: To comply with minimum standards each demolition/construction/brush landfill must meet the requirements of a Type III site plus no putrescible or hazardous waste shall be deposited in this type fill.

Section 11. Industrial and Hazardous Waste Facility Construction and Operation Approval.

(a) New facilities: Each person planning to construct and operate an industrial solid waste land disposal facility or hazard-

ous waste disposal facility shall submit construction and operating plans to the Department for approval. These plans will be for the industrial waste disposal that is not subject to the rules and regulations of the Air, Land and Water Quality Divisions. These plans shall include, but not be limited to, the following:

(i) A detailed map of the area showing land use and/or zoning within one-half mile of the solid waste disposal site. The map shall be of sufficient scale to show all residences, industrial buildings, water wells, water courses, roads and other applicable details and shall indicate the general topography.

(ii) A legal description of the property to be used for a disposal site.

(iii) A plot plan of the site showing dimensions and describing the working areas of the site.

(iv) A written report shall accompany the plans indicating:

(A) The proposed starting date of construction and estimated completion date.

(B) Anticipated number of days the site will be operated per month and/or per year.

(C) Types, characteristics, and quantities of wastes to be handled at the site. Common, trade, and chemical names of materials will be required of the different materials (caustic, toxic, water soluble, flammable, solid, liquid, slurry, etc.), amounts per day, per month, per year.

(D) A description of the working area which gives, in detail, the operations proposed, such as treatment and recovery processes and equipment involved, along with identification of disposal procedures to be used. (Landfill, land farming, etc.)

(E) Projected life of the site.

(F) Geological formations and soils analysis of the proposed site.

(G) Proposed method by which surface and ground water will be protected from contamination. (Drainage plans, con-

trol devices, etc.)

(H) Proposed method by which the public and animals will be excluded from the site.

(I) Where applicable, type of fire protection which will be provided.

(J) Depth to the highest ground water table in the area.

(K) Where applicable, method by which blowing material will be controlled.

(L) Will the site be operated during periods of inclement weather? If so, what provisions will be made for inclement weather operations?

(M) Intended points of ingress and egress.

(N) Local wind pattern.

(O) Utilities on site. (If applicable)

(P) Other pertinent information requested by the Department.

(v) These plans will be submitted and processed as described in Section 8-(5) paragraph two.

(vi) If a person is planning on installing several small disposal sites of the same type in a general area, an area plan for all sites with the pertinent information (such as water and air pollution abatement processes, method of disposal, amounts and types of waste, etc.) will be acceptable.

(b) Existing facilities: All existing facilities shall submit operating plans upon request to the Department. These plans will be for the industrial waste or hazardous waste disposal that is not subject to the rules and regulations of the Air, Land and Water Divisions. These plans shall include, but not be limited to, the following:

(i) A detailed map of the area showing land and/or zoning within one-half mile of the solid waste disposal site. The map

shall be of sufficient scale to show all residences, industrial buildings, water wells, water courses, roads and other applicable details and shall indicate the general topography.

(ii) A legal description of the property being used for a disposal site.

(iii) A plot plan of the site showing dimension and describing the working areas of the site.

(iv) A written report shall accompany the plans indicating:

(A) Number of days the site is operated per month and/or per year.

(B) Types, characteristics and quantities of wastes handled at the site. Common, trade, and chemical names of materials will be required of the different materials (caustic, toxic, water soluble, flammable, solid, liquid, slurry, etc.), amounts per day, per month, per year.

(C) A description of the working area which gives, in detail, the operations such as treatment and recovery processes and equipment involved, along with identification of disposal procedures used. (Landfill, land farming, etc.)

(D) Projected life of the site.

(E) Geological formations and soils analysis of the site.

(F) Method by which surface and ground water is protected from contamination. (Drainage plans, control devices, etc.)

(G) Method by which the public and animals are excluded from the site.

(H) Where applicable, type of fire protection provided.

(I) Depth to the highest ground water table in the area.

(J) Where applicable, method by which blowing material is controlled.

(K) Is the site being operated during periods of inclement weather? If so, what provisions are made for inclement weather operations?

(L) Points of ingress and egress.

(M) Local wind pattern.

(N) Utilities on site. (If applicable)

(O) Other pertinent information requested by the Department.

(v) These plans will be submitted and processed as described in Section 8 b., final paragraph.

(c) Minimum Standards of Operation for Industrial Disposal Sites.

(i) Industrial solid waste disposal site - To comply with minimum standards each industrial site shall meet or exceed the following requirements:

(A) All sites shall be fenced or otherwise guarded to prevent the access of the public, wild animals and livestock. This will only be necessary if the site is receiving materials that will be harmful to the public and animals.

(B) All sites shall be located in areas that will not create nuisances, aesthetic degradation or hazards to nearby residents.

(C) Sites shall be constructed in such a manner that surface water will not run onto, into or out of the working area.

(D) Sites shall not be located nearer than 500 feet to a drinking water supply well, stream, reservoir, lake, water treatment plant, or raw water intake which furnishes water to a public water system or for human consumption unless supportive engineering data shows that materials from the site will not enter these areas.

(E) Sites shall be designed and operated in such a manner that fumes, gases, leachates, solids, particulates, or liquids will not enter the water in such quantities as to be in violation of Water Quality standards.

(F) Sites shall be designed and operated in such a manner that fumes, gases, particulated, and other materials will not enter the air in such quantities as to be in violation of the Air Quality regulations.

(G) All sites shall have adequate fire protection.

(H) All sites shall be designed, constructed, and operated in such a manner that the combining of different materials will not create undesirable or dangerous reactions within the area.

(I) For industrial solid waste disposal sites located at surface coal mines, the following standards also apply:²

(1.) Noncoal waste (grease, lubricants, paints, flammable liquids mining machinery, etc.) shall be disposed only in accordance with a letter of authorization issued by the Department under the authority of the Solid Waste Management Rules and Regulations, (1975)**

(2.) All noncoal waste shall be covered with a minimum of two feet of nontoxic and noncombustible material, or if necessary, treated. The cover shall be stabilized and revegetated.**

(3.) Solid waste material shall not be deposited at refuse embankments or impoundment sites, nor shall any excavation for solid waste disposal be located within eight (8) feet of any coal outcrop or storage area.**

(d) Minimum Standards of Operation for Hazardous Waste Disposal Sites.

(i) Hazardous waste disposal sites: To comply with the minimum standards each hazardous waste site shall meet or exceed the following requirements:

(A) The responsible person shall take all precautions to prevent unauthorized persons from entering the site.

(B) The responsible person shall take the necessary precautions to prevent animals from entering the site.

(C) All sites shall be located away from flood plains, natural depressions and excessive slopes unless the detailed engineering plans indicate the acceptability of a site in these areas.

(D) Hazardous waste sites shall be located in areas of low population density, low land use value, and low ground water contamination potential unless detailed engineering plans indicated the acceptability of this type site in the area.

(E) Sites shall not be located near a drinking water supply well, stream, reservoir, lake, water treatment or raw water intake which furnishes water to a public water system.

(F) Whenever possible, sites shall be located in areas where impermeable soils are located.

(G) The site shall be located and designed to contain any runoff from accidental spills at the site.

(H) All sites shall be designed and located where there will be no hydraulic surface or subsurface connection between flowing or standing water.

(I) All trenches, ponds, holding tanks, etc. shall be lined with acceptable liners to prevent leaching or transmission of materials from the sites.

(J) All sites shall be located, designed, and operated in such a manner that they will not create nuisances, aesthetic degradation, or hazards to the surrounding area.

(K) Records of the amounts received, types (chemical analysis), date and locations where these materials are on site will be maintained.

(L) Precautions shall be taken to avoid mixing of materials that are not compatible.

(M) All sites shall be designed, located, and operated in such a manner that the materials will be totally contained on the site.

(N) Prior to the deposition of hazardous wastes at a site, monitoring wells shall be provided by the person responsible and background data shall be provided to the Department.

(O) The site and the different areas within the site shall contain the appropriate hazardous waste signs.

(P) When the site is completed the working areas of the site shall be properly encapsulated to prevent the migration of water into or out of the material.

(Q) The site at completion shall be closed off, signed and permanently isolated from humans and animals.

(R) Before a letter of approval is issued for the operation of a hazardous waste disposal site, the responsible person shall consult with the Department of Environmental Quality as to the length of time that person will be required to monitor for water pollution at the site. The length of time required will depend on the types of materials deposited and their life span.

Section 12. Processing Plants.

(a) Solid waste processing plants shall meet the following minimum standards:

(i) All-weather access roads shall be provided.

(ii) Surface drainage facilities shall be provided to prevent surface water runoff into, or out of the working area.

(iii) Fencing shall be provided in order to control access to the site.

(iv) Provisions shall be made to prevent blowing litter in the area.

(v) Personnel and provisions shall be provided at each facility to give directions for unloading of refuse and prevent the blockage of the normal flow of traffic during operating hours.

(vi) Fire protection shall be provided at each facility.

(vii) No hazardous materials shall be processed unless

permission is given by the operator and the Department.

(viii) The processing facility shall be constructed in such a manner as to allow it to be thoroughly cleaned by water or steam.

(ix) All liquids produced by the process and by cleaning shall be disposed of in compliance with the Wyoming Water Quality Rules and Regulations.

(x) Ventilation and odor control shall be provided at each plant.

(xi) The processing plant shall not accumulate solid waste in quantities that cannot be processed before the waste creates a public nuisance, health hazard, fire hazard, odors, or vector habitat.

(xii) In the event of extended mechanical breakdown the unprocessed solid waste and incoming waste shall be removed from the site to an approved alternate facility before the solid waste creates a public nuisance, health hazard, fire hazard, odors or vector habitat.

(xiii) Vector control shall be provided by good sanitation practices and/or pesticides.

Section 13. Compliance Schedules. All persons who have existing solid waste disposal sites that serve 3,000 or more people and/or who are operating industrial or hazardous waste disposal sites shall submit operating plans to the Department by January 1, 1977. All other persons operating solid waste disposal sites (municipal sites serving less than 3,000 population, county sites, private sites, construction/demolition fill, etc.) shall submit operating plans to the Department by July 1, 1977. If a person already has a letter of approval for operating it will not be necessary to submit these plans. If the site or sites are not in compliance with Sections 10 and 11 of these Rules and Regulations the responsible person must include a proposed plan of action with a date or dates when compliance will be obtained. The Department, after consultation with the responsible person, will approve or disapprove the proposed compliance schedule. If the schedule is disapproved, the Department will provide the responsible person with a compliance date. In the event that a person does not agree with the compliance date set by the Department, he can request a

hearing before the Environmental Quality Council. Such a request for hearing shall be submitted in writing to the Director and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the Rules of Practice and Procedure of the Department.

The submission of a compliance schedule, operating plans or operating under a compliance schedule does not relieve the operator of a solid waste disposal site of his legal responsibility to operate the facility in a manner which does not create a public nuisance, a health hazard, a fire hazard or does not violate applicable Air and Water Quality standards.

Section 14. Promiscuous Dumping. Persons shall not deposit solid waste in an area that is not designated by the Department as a solid waste disposal facility. This does not apply to a single family unit or household which is disposing of that family unit or household's solid waste on their own property in such a manner that it is not creating a health hazard, public nuisance, or detriment to the environment.

Section 15. Waivers and Exemptions.

(a) Waivers: The Department, upon application, shall grant waivers from the provisions of these Rules and Regulations for solid waste disposal practices and sites which are necessitated by reason of agricultural or industrial operations remote from authorized solid waste disposal sites and which do not create a health hazard, public nuisance or are not a detriment to the environment. Applications for such waiver shall be made and granted by letter, or verbally when the circumstances permit. "Remote" means inaccessible due to distance, natural barriers or inaccessible because of private, public or legal restrictions.

(b) Exemptions: The disposal of solid waste at oil industry drilling sites which are presently regulated by the Wyoming Oil and Gas Commission, United States Geological Survey and the Bureau of Land Management shall be exempt from these Rules and Regulations.

¹As amended, 1980 (Effective upon final approval of State Program.)

²As amended, 1980. (Effective upon final approval of State Program.)