

# Legal Notices

## NOTICE OF PUBLIC HEARINGS

### DEPARTMENT OF ENVIRONMENTAL CONSERVATION SOLID WASTE

#### MANAGEMENT REGULATIONS

NOTICE IS HEREBY GIVEN that the Department of Environmental Conservation, under authority vested by AS 46.03.020 (10) (A), AS 46.03.020 (10) (E), AS 46.03.020 (10) (H), AS 46.03.710, AS 46.03.800, AS 46.03.810, proposes to adopt solid waste management regulations which implement, interpret, and make specific the solid waste management provisions of Chapter 3, Title 46, Alaska Statutes.

#### COPIES

Copies of the proposed solid waste management regulations may be obtained by writing to the Commissioner, Department of Environmental Conservation, Pouch O, Juneau, Alaska 99801 or at the following locations:

#### Juneau:

Department of Environmental Conservation  
(St. Ann's Center), 586-6721  
419 6 Street

#### Juneau:

Public Library  
114W, 4th Street

#### Anchorage:

Regional Office  
(Kyle Cherry)  
Department of Environmental Conservation  
274-5527  
MacKay Building

#### Fairbanks:

Regional Office  
(Doug Lowery)  
Department of Environmental Conservation  
State Court and Office Building,  
Room 137  
604 Barnette  
452-1714

#### Ketchikan:

Ketchikan Public Library  
629 Dock

#### Sitka:

Kettelson Memorial Library

#### Valdez:

Valdez Public Library

#### PROPOSED REGULATIONS

The proposed solid waste management regulations are as follows:

TITLE 18. ENVIRONMENTAL  
CONSERVATION 18 AAC 60.010  
CHAPTER 60. SOLID WASTE  
MANAGEMENT 18 AAC 60.020  
SECTION

010.—General Requirements

020.—Solid Waste Management Permit

030.—Permit Requirements

040.—Incineration

050.—Disposal on Land

060.—Reclamation Facilities

070.—Solid Waste Management Responsibility

080.—Solid Waste Management on Public Property

090.—Junked Vehicle and Equipment Disposal

100.—Presumptive Proof of Illegal Disposal

110.—Abatement Order

120.—Penalties

130.—Definitions

18 AAC 60.010. GENERAL REQUIREMENTS. Solid waste shall be collected, stored, transported, utilized, processed, disposed or reclaimed in a manner consistent with this chapter in order to control, prevent and abate pollution of the air, water, land and subsurface land of the state. (Eff. / / , Reg. )

#### AUTHORITY:

AS 46.03.020 (10) (A)

AS 46.03.020 (10) (E)

AS 46.03.020 (10) (H)

AS 46.03.710

18 AAC 60.020. SOLID WASTE MANAGEMENT. PERMIT. (a) No person may establish, modify or operate a solid waste disposal facility without a permit, except the following:

(1) a residence on which solid waste is generated and disposed of, on-premise;

(2) a farm on which solid waste generated from the operation of that farm is disposed;

(3) incinerator facilities having a total rated capacity of less than 200 pounds of solid waste per hour.

(b) An application for a permit shall contain two sets of the following, submitted to the department for approval:

(1) a completed permit application form;

(2) detailed engineering plans and specifications for the facility;

(3) evidence of compliance with local zoning requirements;

(4) a report detailing the proposed method of operation, population and area to be served, the characteristics, quantity and source of material to be processed, the use and distribution of processed materials, method of residue disposal, emergency operating procedures, and the type and amount of equipment to be provided.

(c) A person operating a solid waste disposal facility on the effective date of these regulations and requiring a permit shall apply for such permit on or before July 1, 1973.

(d) A permit shall be valid for a period not exceeding two years. Application for renewal shall be made at least 30 days prior to the expiration of an existing permit. Any alteration or deviation in operating procedure from the provisions of an existing permit shall first be submitted to the department for approval. Prior to renewing a permit the department may conduct an inspection to determine whether the solid waste disposal facility and its operation are in compliance with state law and regulations.

(e) A permit may not be transferred without the written consent of the department.

(f) A permit for a solid waste

disposal facility may be revoked or suspended whenever the department finds after investigation that the facility is being operated, maintained or used in violation of state law, regulation or permit conditions.

(g) If a permit is denied, revoked, suspended or permit renewal is refused

the applicant or permittee shall be notified in writing of the reasons for the action. Such action shall not prevent the person from submitting another application.

(h) Permit issuance and permit conditions shall be determined by evaluating the overall environmental impact of the proposed project and its compliance with state law and regulations. (Eff. / / , Reg. )

#### AUTHORITY:

AS 46.03.020 (10) (A)

AS 46.03.020 (10) (E)

AS 46.03.020 (10) (H)

18 AAC 60.030. PERMIT REQUIREMENTS: (a) A permittee shall be required to:

(1) provide a permanent sign posted at the facility entrance identifying the facility, the hours and days the facility is open for public use, the name and address of the operator and other information pertinent to the operation of the facility;

(2) provide effective methods, approved by the department, to control insects, birds, rodents, other disease vectors and nuisance conditions.

(b) A permittee may be required to:

(1) compact and cover all solid waste accumulated after each day's operation with earth or other approved material in an approved manner safeguarding the environmental quality of the surrounding area, except that solid waste processed by milling, baling or other operations, specifically approved by the department, may not require daily cover;

(2) install, maintain and operate monitoring equipment, for the detection of pollution or contamination resulting or tending to result from the operation of the facility, in accordance with methods and procedures prescribed by the department, at specified locations and intervals, and to provide the resulting data to the department;

(3) provide controlled access to the facility in the form of fences and gates that shall be kept locked when an attendant is not on duty;

(4) submit monthly reports itemizing the type and quantity of solid waste processed, the quantity of waste requiring final disposal, hours of facility operation and market value of any reclaimed material. (Eff. / 6/, Reg. )

#### AUTHORITY:

AS 46.03.020 (10) (A)

AS 46.03.020 (10) (E)

AS 46.03.020 (10) (H)

18 AAC 60.040. INCINERATION.

(a) Incineration is the required method for the destruction of infectious and pathological wastes generated at medical and veterinary facilities, prior to final disposal.

(b) Incineration is the preferred method of processing combustible solid waste, unless an engineering report recommending an alternative procedure is submitted to and approved by the department.

(c) No person may use an incinerator facility for solid waste processing that has a total rated capacity equal to or greater than 200 pounds per hour unless it complies with the following:

(1) an incinerator shall be designed and operated so that emitted air contaminants, including odors, gases and particulate matter do not exceed the standards established in 18 AAC 50 of the Air Quality Control Regulations;

(2) upon completion of an incinerator facility and prior to initial operation, the department shall be notified in order that it may conduct an inspection.

(d) Hazardous waste shall be incinerated in a manner approved by the department. (Eff. / / , Reg. )

#### AUTHORITY:

AS 46.03.020 (10) (A)

AS 46.03.020 (10) (E)

AS 46.03.020 (10) (H)

18 AAC 60.050. DISPOSAL ON LAND. The disposal of solid waste on the land shall comply with the following requirements:

(1) the disposal of putrescible waste in areas subject to the influence of permafrost conditions or leachate generating potential is restricted and shall be allowed only in conjunction with special procedures approved by the department;

(2) open burning on a landfill is prohibited;

(3) solid waste shall be deposited in a manner to prevent waste materials, leachate or eroded soil particles from entering the waters of the state;

(4) placement of putrescible solid waste within two feet of the anticipated high ground water table is prohibited; nonputrescible and non-water-soluble materials such as brick, stone, concrete and similar materials may be deposited below the anticipated high ground water table if such deposition will result in a nuisance-free operation and no pollution to the ground waters;

(5) surface water drainage shall not be allowed to flow over or through a landfill;

(6) the working face of a landfill shall be limited to as small an area as practicable and designed to confine wind-blown waste, which shall be collected and returned to the working face;

(7) salvaging is prohibited except as provided in section 60 of this chapter;

(8) hazardous waste shall be disposed in a manner approved by the department;

(9) uncontrolled live, domestic animals are prohibited within the landfill area;

(10) the approach road to a landfill shall be maintained to provide access and kept clean of solid waste;

(11) solid waste shall be spread in shallow layers not exceeding a depth

(See LEGALS, page 10)