

06-096

Department of Environmental Protection

Maine Solid Waste Management Rules

CHAPTER 402

**TRANSFER STATIONS AND STORAGE SITES
FOR SOLID WASTE**

**Proposed Revisions
April 20, 2006**

11/11/06

sequence of operation, policies and procedures, and monitoring, maintenance, inspection and legal requirements that must be followed for safe, orderly and environmentally sound operation on a daily and yearly basis

- (3) The operator shall take whatever measures are necessary to familiarize all personnel responsible for operation of the facility with relevant sections of the operations manual
- (4) A hazardous and special waste handling and exclusion plan shall be developed and implemented in accordance with the requirements of Chapter 400, section 9

Additionally, [a facility that provides wood for the production of biomass fuel, compost or mulch], [~~the plan~~] must describe [in the plan] how the facility will inspect, separate from wood for beneficial use] and handle [treated] wood [treated with arsenic or pentachlorophenol] from its arrival at the facility to its delivery to a disposal facility

[Note: A facility that does not separate wood for the production of biomass fuel, compost or mulch and disposes of all waste wood, is not required to modify its hazardous and special waste handling and exclusion plan.]

___ A template for a hazardous and special waste handling and exclusion plan is attached as Appendix 400 A to Chapter 400

- (5) A current copy of the operations manual must be available for inspection at the transfer station or storage site at all times
- B. Operational Records.** The operator shall maintain a record of operational information, which may include the type and quantity of waste received, the equipment used and personnel training provided, and any deviations from the approved operating plan

C. Stored Wastes

- (1) Storage of putrescible waste must be in a covered structure or in covered leakproof containers
- (2) The approved schedules for removal and/or disposal of all stored wastes must be complied with and included in the operations manual
- (3) A contract for the removal and/or disposal of putrescible waste must be included in the operations manual. Removal of waste must occur frequently enough to prevent nuisance problems at the transfer station or storage site, or during transport of the waste
- (4) Ash from the burning of wood waste and/or wood from construction or demolition debris must not be allowed to accumulate to a depth greater than 6 inches. The operations manual must provide for appropriate disposal or utilization of ash in accordance with section 4(I). If the ashes are removed from the burn area and stored at the transfer station or storage site prior to their removal for disposal or utilization, they must be stored in covered, leakproof containers after they have reached a safe handling temperature

- (5) A burn area for wood waste and/or wood from construction or demolition debris must be operated in accordance with section 4(I). No treated wood may be placed in this area.
- (6) Unless otherwise approved by the Department, separate storage areas must be provided for each different waste stream.
- (7) Unless otherwise approved by the Department, uncovered individual storage areas for white goods, tires and construction and demolition debris must be no greater than 2,500 square feet in size. Any tire storage area larger than 625 square feet must be separated by a fire break consisting of a 25 foot mineral strip. All grasses, weeds, slash, brush, debris, and other combustible material must be removed from this fire break.
- (8) Unless otherwise approved by the Department, uncovered storage areas for wood wastes and/or wood from construction or demolition debris must be no greater than 1 acre in size.
- (9) There must be a minimum of 2 feet separation between outside, unpaved storage areas for wastes, and the seasonal water table and bedrock, unless the in-situ soils are sand and gravel. If the in-situ soils are sand and gravel, 2 feet of till soils containing between 15 and 35% fines must be placed in the storage areas over the sand and gravel prior to the storage of wastes.

D. Supervision of Operation

- (1) The operation of the solid waste facility must be under the overall supervision and direction of a person qualified and experienced in matters of solid waste management.
- (2) An attendant shall be on duty at the solid waste facility during all times the transfer station or storage site is available for use.

E. Access Control

- (1) The owner/operator shall provide suitable barriers or fencing and gates to limit unauthorized persons access to the facility site. The gate may be open only when an attendant or equipment operator is on duty and capable of overseeing users of the solid waste facility. The gate must be closed and locked at all other times.
- (2) The owner/operator shall provide and maintain in good repair access roads at the facility site.
- (3) The owner/operator shall prominently post the hours of operation and other limitations and conditions of access at each entrance to the solid waste facility.

F. Acceptable/Unacceptable Wastes. Only those wastes specifically permitted by the Department may be accepted at a solid waste facility.

- (1) Special wastes not specifically permitted by the Department must not be accepted at a solid waste facility.
- ~~(2)~~ (2) Hazardous waste, or waste not easily identified by the operator as non-hazardous, must not be accepted at a solid waste facility.

G. Unloading of Waste

- (1) The owner/operator shall provide for the posting of appropriate signs or other means to indicate clearly where the different waste streams are to be unloaded, and where the separate recycling and storage areas within the solid waste facility are located
- ~~(2) (2) There must be sufficient unloading areas to meet demands at peak periods~~
- (3) Wood treated with arsenic or pentachlorophenol may not be used in the production of biomass fuel, compost or mulch by the facility. All such treated wood must be stored separately from wood to be used as biomass fuel or mulch and disposed in a facility approved for the waste.

H. Equipment. Equipment must be sufficient to meet the operating requirements

- (1) The owner/operator shall provide for the routine maintenance of equipment
- (2) Back-up equipment, or plans to by-pass the solid waste facility in case of breakdown, must be provided
- (3) Transfer and storage trailers hauling solid waste must be constructed and operated so as to not allow the discharge of liquid, the blowing of dust or the escape of solid waste that is being delivered to or removed from the solid waste facility

I. Open Burning of Brush and Wood from Construction or Demolition Debris. The infrequent open burning of brush, land clearing debris, wood waste, and wood from construction and demolition debris is permitted provided all conditions listed below are met

- (1) Solid waste facility personnel or the local fire department must be present from the time a burn begins until the fire is completely extinguished
- (2) The wind speed and atmospheric stagnating conditions must not create any nuisance conditions
- (3) The burning must comply with all applicable local and state regulations governing fires and the burning of materials

NOTE Open burning is also regulated by Chapter 102 of the Department's air quality rules

- (4) The burn pile may not contain the following treated wood, construction or demolition debris other than unpainted or painted wood, asphalt products, tires, white goods, brown goods, paper or cardboard, or refuse
- (5) Burning may take place on a 2 foot thick soil base pad that is no larger than 625 square feet (unless a larger area has been approved by the Department), on a reinforced concrete pad, or in a reinforced and tile-lined curtain wall combuster, provided the burn area is designed,

constructed and operated to prevent the long-term contact of the material and the ash from the burn area with the soils on the site

- (6) The burn pad must be surrounded by a fire break consisting of a strip at least 25 feet wide cleared to mineral soil, then a 25 foot wide grass strip. This firebreak must be maintained, including an annual mowing of the grass strip, until the burn pad is no longer in use
- (7) Tires, waste oil, or similar wastes may not be used to start or maintain a burn
- (8) Ashes must not be allowed to accumulate to a depth greater than 6 inches. Burn pile ash must be transported to a facility licensed to accept it for disposal or utilization, and be characterized in accordance with the applicable requirements of Chapter 405, Chapter 418, or Chapter 419. Following characterization, the owner/operator will arrange for the ash to be disposed or utilized in accordance with the provisions of these rules

NOTE The Department has determined, based on analyses of burn pile ash, that the burning of painted wood renders the ash unsuitable for agronomic utilization and may result in ash that is a hazardous waste. Facility owners should limit the amount of painted wood in burn piles to avoid the costs of disposal of a hazardous waste

- J. Cleaning and Maintenance of Wood Waste Storage Areas.** At solid waste facilities with a licensed, uncovered wood waste, and/or wood from construction or demolition debris, storage area greater than 1 acre in size, the storage area must be cleaned on an annual basis through the turnover of any wood waste in the storage area, and the removal and appropriate disposal or utilization of old pulp, wood, incidental bark and other woody material
- K. Control of Litter.** The owner/operator shall provide for the routine maintenance and general cleanliness of the entire solid waste facility, as well as litter removal along the roads approaching the solid waste facility
- L. Dust and Odor Control.** The owner/operator shall undertake suitable measures to control dust and odors. The use of oil and the excessive use of water are prohibited for the purpose of controlling dust

A facility must be operated in accordance with the odor control provisions approved for the facility
- M. Leachate Control.** The owner/operator shall undertake suitable measures to control leachate. The approved leachate containment, collection and, if applicable, treatment measures must be complied with and included in the operations manual. Provisions shall be made for the washdown, dry cleanup, or other cleanup of the transfer station or storage site. Sanitary disposal of any wastewater, leachate and washdown waters must be in accordance with 38 M.R.S.A. section 413. Washdown waters and leachate must not be disposed of on-site without the Department's approval, but must be retained in a holding tank or similar structure
- N. Disease.** The on-site population of disease vectors must be minimized to protect public health. The Department may require a routine program for the control and elimination of insects and rodents at the transfer station or storage site. An applicant shall implement supplemental vector

APPENDIX A

TEMPLATE FOR HAZARDOUS & SPECIAL WASTE HANDLING AND EXCLUSION PLAN

1. **Facility Safety Officer.** (name a person--first selectman, operator,) shall be designated as the "facility safety officer" Annually, the facility safety officer shall work with the (name of town) Fire Chief to provide training to the operator's staff on
 - A Detection of hazardous and special waste,
 - B Appropriate notification procedures, and
 - C Appropriate handling procedures
2. **Identification/Notification of Unpermitted Wastes.** Unpermitted hazardous and special wastes shall not be accepted at the solid waste facility To ensure this, the attendant shall check all waste being deposited at the solid waste facility The type of container and origin of the waste can help identify hazardous wastes and special wastes People are allowed to deposit normal household quantities of household hazardous wastes with their general refuse However, larger quantities of household pesticides and hazardous wastes generated by commercial and industrial establishments are not acceptable at this solid waste facility

The following list will help with the identification and handling of materials of concern

- A. **Asbestos:** Friable insulation material but can take other forms Can be combined with other materials to sometimes make non-friable siding, flooring, or other products If suspected to be or contain friable asbestos, contact Department of Environmental Protection asbestos abatement program personnel at telephone number 207-287-2651 Avoid inhalation of particles
- B. **Bio-medical Wastes:** May be red bag waste from hospitals, laboratories, clinics, nursing homes and occasionally doctor's offices. Includes blood, body parts, disposable instruments, linens and other soiled items Keep people away, follow hazardous waste procedures, including notifying the appropriate responder either a qualified fire department or the Department of Environmental Protection (DEP) If accidentally contacted, disinfect contact area with 1:3 bleach to water solution
- C. **Calcium Hypochlorite:** Used for disinfecting swimming pools but is reactive when wet Can release chlorine gas and cause fire when wetted. Treat as hazardous, prevent wetting or contact with moisture, if wetted, evacuate area Keep away from petroleum and other organic materials
- D. **Electrical Capacitors and Transformers:** May be removed from white goods and other electrical equipment by individuals, scrap metal firms, or firms which work on appliances or motors Avoid skin contact and breathing exposure, follow hazardous waste procedure
- E. **Industrial Chemicals:** Generally, liquid in five gallon or larger pails or drums of either plastic or steel Occasionally lined cardboard barrels are used Also some solids, especially flakes or granular materials, can cause excessive corrosion or be reactive with liquids Solids may be in any form of container including loose Avoid skin contact and breathing exposure, treat as hazardous
- F. **Laboratory Chemicals:** Usually in smaller containers of one pint to one gallon, glass or plastic bottles Can be severe irritants, highly toxic or explosive Avoid skin contact and breathing exposure, do not open or jar containers Treat as hazardous
- G. **Sandblast Grit:** Generally fine sand or garnet mixed with paint, brick and/or masonry chips Avoid breathing, handle as special waste

(delete the following if solid waste facility will have waste oil collection)

H. Waste Oil: Includes used motor oils, hydraulic fluid, and other lubrication oils from individuals, farm operations, and vehicle and heavy equipment repair firms. Avoid skin contact, treat as special waste.

Excluded items are not limited to the above specifically listed items.

3. Finding and Reacting to an Unknown Waste. When unknown material is found at the solid waste facility, the attendant shall identify the material to determine whether it is licensed solid waste, special waste, or hazardous waste. If hazardous waste, the attendant shall attempt to identify the person who has left, delivered, or attempted to deliver the hazardous waste and notify the DEP.

A. While keeping a safe distance upwind from the material, the attendant may attempt to determine the following, if safe to do so:

- (1) Look for container or waste labeling,
- (2) Determine the physical state of the material (solid, liquid, or gas),
- (3) Estimate container size or amount of waste, and
- (4) Determine the type and condition of the container or packaging.

B. If the material is determined to potentially be hazardous, the attendant shall:

- (1) Evacuate and secure the area of the facility site around the material,
- (2) If safely feasible, determine if there is any release of the material to the soil, water, or air,
- (3) If safely feasible, determine if any release found has been confined or is ongoing, and
- (4) Undertake the appropriate notification procedure below.

4. Notification.

A. When hazardous waste or suspected hazardous waste is found left at the solid waste facility, the attendant shall:

- (1) Notify the DEP anytime at 1-800-482-0777 or the Maine State Police at 1-800-452-4664, or
- (2) If the attendant knows that the local fire department has received training and is qualified to respond to hazardous materials, notify the fire department at _____.

B. When unpermitted special waste is found left at the solid waste facility, the attendant shall notify a solid waste staff person at the DEP regional office between 8 a.m. to 5 p.m., Monday through Friday and the appropriate municipal official to authorize qualified removal.

C. If the attendant cannot identify the material, notify the ___(name of town)___ Fire Department and DEP at the numbers listed above for assistance in identification. If sampling and further detection of hazardous or special waste is required, a qualified hazardous waste handling firm or solid waste contractor must be used, as appropriate.

5: Clean-up/decontamination.

A. Only trained personnel shall handle hazardous wastes. Such training shall follow the guidelines of 29 CFR Part 1910.120.

8. Minimizing contamination in wood for beneficial use. All solid waste facilities that produce or supply wood for beneficial use, including but not limited to mulch, compost or fuel, shall institute provisions sufficient to ensure that the wood to be utilized is free from contaminants detrimental to that wood's use. Specifically

A. Wood in compost or for mulch shall not contain painted wood, chemically treated wood, chipboard, plastic, wood with fasteners, nails, paint or coatings, or wood that is otherwise contaminated

B. Wood treated with arsenic or pentachlorophenol may not be beneficially used for biomass fuel. Wood for biomass fuel shall meet all fuel standards in Chapter 418, section 6(B)(4)

The facility shall establish a plan and institute a policy that directs the suppliers of waste wood to separate and place categories of wood in appropriate stockpiles for use and disposal. All arsenic and pentachlorophenol treated wood shall be disposed in an approved solid waste disposal facility

Facility policy shall also direct staff to visually inspect the beneficial use wood stockpiles daily. All wood that does not meet the standards of A and B above must be separated from wood intended for beneficial use