

# Proposed Solid Waste Rules Hearing 20200211

## **Chuck Hyatt:**

Welcome everyone. My name is Chuck Hyatt, I'm the Director of the North Dakota Department of Environmental Quality Division of Waste Management, and I will be acting as a hearing officer for this public hearing. It is now 7:18 p.m. on February 11th, 2020 in Bismarck, North Dakota. I'll begin with a short opening statement and explain the hearing format, and we will then open for comments. First, I would like to ask everyone to turn off their cell phone ringers as a courtesy to those providing testimony. This public hearing has been called for the purpose of allowing all interested individuals an opportunity to submit information and comments concerning the proposed new and amended Administrative Rules regarding various solid waste management requirements in the North Dakota Administrative Code, Article 33.1-20 Solid Waste Management and Land Protection Rules. Information gathered at this hearing will be used by the North Dakota Department of Environmental Quality and the Environmental Review Advisory Council for its deliberation and final decision. This hearing is being conducted according to the procedures for hearings on draft administrative rules. It is not an adjudicative proceeding under Chapter 28-32, which means the persons providing comment today will not be cross-examined and the Department will not be responding to comments at this hearing. We also ask for no applause or outbursts from the audience during the hearing. The comments received today will be considered with all written comments that are received, and the Department of Environmental Quality will present its consideration of all the comments in writing. You may request a copy of the written consideration of comments and one will be provided to you. If you would like to receive a copy of the consideration of comments, please print your contact information on the sign up sheet located at the information table. After consideration of all the comments, the Department of Environmental Quality and the Environmental Review Advisory Council will make a determination on the draft rules either to approve as proposed, approve with modifications based on comments received, or to withdraw the rule. This hearing is being taped and we ask that everyone that is intending to provide testimony use the microphone at the podium so that the tape will be of good quality for transcribing purposes. The microphone, however, will not amplify voices. So please speak clearly when testifying. Please sign the registration sheets for commenters which is placed at the microphone and identify yourself for the record before you begin your comments. Everyone present will be given an opportunity to speak and provide as many comments and as much information as they like. If you have a prepared statement, a written copy of your statement is appreciated and will be helpful. In order to save time, if someone has previously made the same comments you are planning to make, it is not necessary or advantageous to state them again for the record. If you have lengthy written comments or information to present, please summarize what is being submitted when you speak. Both your spoken comments and written information will be fully reviewed, considered and responded to in the Department's written

consideration of comments. At this point, the hearing is open for comments on the proposed rules, and anybody that would like to start is free to do so.

**Chris Kreger:**

Hi there. My name is Chris Kreger with Knight Compliance Advisors out of Williston, North Dakota. I am a landfill operator for quite a number of years in North Dakota and Minnesota. I submitted a set of written comments that you can take into play. I won't repeat those, but I do want to add that I think it would be advantageous to eliminate the requirement for an annual fee for the waste haulers under the regulation cited for waste hauler licenses. Since you are obtaining a significantly higher fee for the two year price than you're currently charging for waste haulers. And I'll just finish up by saying I'm not here representing any waste hauler or any facility in North Dakota. I'm here representing myself and my consulting company. Thank you very much.

**Chuck Hyatt:**

Thank you. Any additional comments? Are there any additional comments on the solid waste management rules proposed? Any more comments? Last call for comments. Okay. It is now 7:26. If no one else present desires to provide comments, this hearing will be closed. The record will be open for all written comments which are postmarked on or before February 24th, 2020, and we will take into consideration comments sent in within the comment period. If you need the address for mailing comments, please contact the North Dakota Department of Environmental Quality at 701-328-5166. The hearing is now closed. Thank you very much.