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ALERT **EDITOR'S PICK** **TOPICAL**

ENVIRONMENT

Neighbors angered as DEQ helps waste company expedite Billings landfill review

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Signs encourage residents to contact the Montana Department of Environmental Quality about the proposed Pacific Highway 87 North.

LARRY MAYER, BILLINGS GAZETTE



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The public notice Shepherd residents received about a landfill being proposed for their neighborhood indicated they had just 10 days to respond, before state regulators advanced the permitting process.

It wasn't enough time, neighbor Tricia Mae told Lee Montana newspapers.

“They gave us 10 days, when this isn't what we do for a living. We're homemakers, ranchers, farmers, we work all the time to get done with harvest and then all of a sudden we get this dumped on us, 37 pages of it being an environmental analysis,” Mae said. “We had 10 days to rally, to go through 800 pages of an application. And part of those 10 days we had to beg for an extension.”

Bright n' Beautiful will offer Christmas tree recycling around Yellowstone County

Four pages into the application was a form letter from Montana's Department of Environmental Quality stating, “the Department will accept written comments on the proposed project from the public for a period of 30-days following the public notice and the completion of the EA” (environmental analysis).

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It was October when the notice was issued. Two months later neighbors were still upset about the 10-day comment period. Though they successfully received an extension to push the comment period to the end of November, they were convinced DEQ was ready to cut things short had they not protested.

Then, one of the neighbors noticed an email in a document dump the neighbors had acquired through a public records request. The September email was from Kirby Farner of Pacific Steel. Pacific is pursuing the landfill to deposit the unrecyclable material from its car shredder operation in Lockwood. Pacific had an important board meeting coming up and wanted to know if Fred Collins, the Solid Waste Section supervisor of DEQ's Waste Management Bureau could speed things up.

How to recycle pesticide jugs

“Pacific has a key board meeting in about a month and that meeting will determine if funding will be committed (In the millions) to advance the project (Early CY24),” Farner wrote. “We have a better shot if we have a completed public comment period (or, are in the pc period and things look good). The economy appears uncertain in the coming year, so I am hoping we can take advantage of this near-term window. Is it possible the ESA can be finalized and public comment period begin in the next couple weeks?”

ESA is the acronym used by Idaho regulators for Environmental Site Assessment, synonymous with the EA acronym used by Montana regulators.

DEQ's Collins responded, “YES! I plan to have the draft ready for publication by the end of this week which puts us right in that window. You are in a good spot, so no help needed! Just going to crank that review and get it buttoned up for publication and comment.

“THANK YOU! MUCH appreciated for all your patience and correspondence with us over this project.” Collins punctuated that last sentence with a smiley face emoji.

Pacific Recycling fire in Lockwood damage likely more than \$1M



Neighbor Anellise Reynolds Deters said the email suggests DEQ created the short-but-sweet comment period as Pacific requested. A civil engineer in training, Deters dogged the DEQ for records about the landfill project, records that cost the neighbors hundreds of dollars. Also buried in the documents was an email to DEQ from Pacific providing a little profile of Deters, suggesting falsely, that she's single-handedly mobilizing opposition to the landfill.

The landfill proposed by Pacific would collect the residue from the business' regional car shredding operation northeast of Lockwood. Pacific estimates that it generates 25,000 tons of the shredded auto waste annually. The Lockwood shredder processes cars mostly from Montana, but also from out of state.

Currently that waste goes to the Billings Regional Landfill, but Pacific says it wants the option to mine the waste in the future: technology to mine the waste currently doesn't exist. The waste is known as ASR, short for auto shredder residue. ASR contents aren't harmless, according to Pacific's permit application. Cadmium, barium, lead, and benzene are in the mix. The grungy gray waste referred to as "fluff" by the industry, burns well.

Meeting on proposed car shredder landfill planned for Tuesday

The nine-state recycling business bought 320 acres at the intersection of U.S. Highway 87 and Shepherd Acton Road. Kirby said the landfill would occupy about 25 acres of the land. Pacific's permit application shows a final waste boundary of about 90 acres and indicates it would take the business 122 years to fill it.

Currently, Pacific trucks the shredding waste to the Billings Regional Landfill, which services several counties. Billings doesn't object to accepting Pacific's waste.

DEQ spokesperson Moira Davin said last week that the reason the permitting agency initially allowed 10 days for the public to comment because it thought Pacific had done such a good job with public outreach that 30 days wasn't necessary.

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Farner told Lee Montana in November that the decision for the short public comment period was DEQs, not Pacific's.

“Based on DEQ’s understanding of Pacific Steel’s previous community outreach, a 10-day public comment period seemed appropriate,” Davin said. “Upon initial review of public comments received, DEQ decided to extend the comment period, giving a total of 41 days.”

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Of note is what the public comment period is for, which is DEQ’s environmental assessment of the landfill. That assessment, according to DEQ, was first published on Oct. 20 the start of the original 10-day comment period. The environmental assessment wouldn’t have been available for any of Pacific’s earlier community outreach.

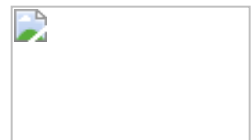
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