Solid Waste Authority Worried About Landfill

BY LAUREN MATTHEWS
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Bill Hughes, Mike Cochran, and Terri Tyler, members of the Wetzel County’s Solid Waste Authority approached Wetzel County Commissioners Sept. 24 regarding the amount of Marcellus drill waste that is being allowed at the Wetzel County Landfill. Furthermore, Hughes and Cochran expressed concerns over the quality of the waste, being that it might have high levels of radioactive materials.

The Wetzel County Landfill is classified as a “Class B” landfill. Hughes stated that for over 20 years the total amount of waste that the landfill could accept for disposal was legally limited to 9,999 tons per month.

Hughes stated that the West Virginia Department of Environmental Protection has released some memos which have now allowed any landfill to accept an unlimited amount of Marcellus drill waste. He stated that in July of this year, the county’s landfill took in over 25,000 tons of drill waste. Combined with the routine waste the landfill accepts, the total disposal amount brought to the landfill was over 30,000 tons that month.

On Dec. 14, 2011, the West Virginia Legislature passed House Bill 401, the Natural Gas Horizontal Well Control Act. This act requires the disposal of drilling waste to be disposed of “in an approved solid waste facility.”

In a memo dated July 26, 2013, the state gave two options a landfill can pursue to address “tonnage issues created by the new legislative mandate: “Class B” facilities can apply to expand to a Class A facility in order to increase its monthly tonnage limit from 9,999 to 30,000 tons, or a Class A or Class B facility can construct a cell separate from the municipal solid waste cells to be dedicated solely to the disposal of drilling waste. This cell would not count toward a facility’s monthly tonnage limits. The memo from the DEP states that a perusal or application toward either of these options would allow the facilities to be eligible to exceed their monthly tonnage limits until June 1, 2014.

Cochran reported to the commission that the special cell would still be in the same hollow that the landfill is going in. “If this continues, the landfill is going to be used up at a much greater rate than we all anticipated,” he noted.

“The cell is a good step in progress,” Hughes added. “This is a result of Charleston attempting to figure out, six years after drilling started, what to do with all this waste.”

He added, “We have three different memos (from DEP) … We don’t even know if there’s more than that.”

These memos were sent to the landfills,” Cochran added. “This doesn’t affect just us. There’s the Wheeling landfill, ours here, Clarksburg, Parkersburg, and a few others in the state that are taking drill cuttings. What they are doing is trying to figure out what we can do with this stuff, how do we get past the statutory limit. It was done by way of the memos. You have those. Each one has different dates. The first one had a tonnage limit; the second one had no limit. The third one had no limit but pushed the date further into the future. These memos were sent to a variety of landfill operators and owners. “TWA” (Tyler, coordinator of the WCSSA) happened to be in the DEP and was given another one. We don’t know what all is out there because the state decided not to consult with other solid waste authorities and not tell them about these ongoing, evolving arrangements to allow more tonnage. We are not sure where this is going from here.”

Hughes further explained his second concern, that the Marcellus matter is radioactive. “When you are dragging down your gamma log, gamma radiation detector, starts spiking,” said Hughes. “That’s how they know they are in the Marcellus. They want to stay in the real rich, black stuff. That’s where the money is, the gas is. When you bring this up to the surface, the radiation doesn’t stay down there. All the fluids … all the solids … bring it up.” Hughes said that West Virginia doesn’t require any radioactivity monitors at landfills. “They are required at every landfill in Pennsylvania, but not in West Virginia.”

“I’m not at all attempting to say this is way more dangerous than x-rays,” Hughes stated. “We’ve all gone to the dentist and had an x-ray or went to the doctor and had a chest x-ray, but we also have noticed that before the x-ray is given, the nurse in the radiology department goes into another room.”

“My concern is the landfill workers,” Hughes added. “They are there daily at the site, working at the landfill, unloading these trucks. I don’t know just what proximity they are to the drill mud. These are all unknowns. My point is we don’t even know.”

“There’s a whole stew of problems,” Hughes noted. “We want to ask your advice on how we can best get some answers and get some of this back into balance. It’s silly to say we should’ve done this four years ago. We are stuck with it right now, but if it is radioactive, we are going to be stuck with it a long, long time.”

Hughes stated that the Association of West Virginia Solid Waste Authorities really did not have a position on the matter because it’s not a statewide problem, “given active Marcellus started in Tyler, Doddridge, and Marshall. You don’t see it down-state, and then it’d only affect those counties that have landfills, so not all solid waste authorities have a landfill located within their counties.” He further noted that Wetzel County would perhaps receive drill waste from surrounding counties in cases where travel expenses are less.

Mason noted that the county commission appointed Cochran and Hughes to be on the Wetzel County Solid Waste Authority (WCSWA). “You guys are kind of watchdogs, to protect the citizens of Wetzel County and surrounding areas,” said Mason. “If you seek legislation that is beneficial and necessary, you have my full support on whatever we can do to put a control on this.”

“Sometimes we do things because it’s the right thing to do; others of us do the right thing because of a financial incentive,” Hughes stated. “In this specific case, there’s a lot of money involved in the Marcellus gas exploration development, and in this specific case, there’s no financial incentive to do this right.” Hughes noted that if the waste was acknowledged as being radioactive, it would then have to be shipped to Idaho and Utah. “If you overlook this, the expense cost to the drillers goes down.”

“Other regulatory agencies have got to do their job, our state has to do the job, our legislature has got to get to the DEP and say ‘What’s going on here, how can we rewind?’ We have to get back to balance this and at least get radioactivity monitors at every landfill that are highly sensitive and set at a threshold that protects everyone’s health.”

“Have you found out anywhere that they dilute or reduce the radioactivity that’s coming out of this mud?” Mason asked.

Hughes stated he had not. “If you bury it under the soil, it becomes essentially harmless, where that soil will stop gamma radiation, but the handling, the transport of it, is an issue for the fellows that work on the well pad, for the truck drivers, the landfill workers … and the landfill workers are really probably the least paid and hardest working bunch of the group and probably aren’t aware that they should have radium badges. It’s cumulative, and after x number of years, it might be a problem.”

“All we can do is what we’ve done so far,” Hughes noted. “We can get this letter put together, get some documents, and send it to Sen. Jeff Kessler and copy it in to Del. Dave Pethel and Sen. Larry Edgell.”

He added: “I’m frustrated, because our state agencies, sometimes, and companies don’t have communities and my grandkids’ best interests foremost in their mind.”

“It’s good you’ve raised the issue,” Commissioner Larry Lemon noted. “You admit you aren’t aware of all the technical ramifications and this effort might bring about more information. I think it’s great you’ve raised the issue.”

Commissioners later decided to contact the DEP about sending all the memos to the WCSWA, as well as “go through the legislatures and let them talk to Governor Earl Ray Tomblin” about the situation.

The Wetzel Chronicle contacted the Wetzel County Sanitary Landfill to get their side of this story. They have yet to respond to our request.