

Superintendent
Andrew Frey, P.E.



FREMONT COUNTY SOLID WASTE DISPOSAL DISTRICT

Member of Wyoming Solid Waste and Recycling Association (WSWRA)

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DEQ
Solid and Hazardous
Waste Division

SEP 25 2017

September 16, 2017

Department of Environmental Quality
Attn: Todd Parfitt Director
200 West 17th Street
Cheyenne, WY 82002

Re: Formal Written Objection – Hopper Disposal Facility

Dear Mr. Parfitt:

Pursuant to the public notification of the “Hopper Disposal Facility”, this letter will serve as the Fremont County Solid Waste Disposal District’s (hereinafter “The District”) formal written objection to the above application. This letter is based upon the District’s understanding that the application is for a Low-Hazard Low-Volume facility.

The District objects to issuance of the Hopper Disposal permit on the basis that it has human health and safety concerns along with environmental concerns regarding the proposed facility based upon the past practices of the principal of Michael Dimick and Hopper Metals/Disposal. There is currently pending a Notice of Violation against Michael Dimick and Hopper Metals. The basis of the Notice of Violation is the allegation that in April of 2016 an inspection of the Hopper Metal facilities was conducted by Wyoming Department of Environmental Quality Solid and Hazardous Waste Division (WDEQ-SHWD) staff along with Environmental Protection Agency (EPA) staff, revealing that there were illegal solid waste and potentially hazardous waste disposal activities on the site. Mr. Dimick and Hopper Metals/Disposal were specifically told by the investigating parties that they could not burn municipal solid waste. On November 2, 2016, there was a complaint that Mr. Dimick and Hopper Metals/Disposal were continuing to collect and burn municipal solid waste. A November 3, 2016, a WDEQ-SHWD inspection revealed that Mr. Dimick and Hopper Metals/Disposal were continuing to collect municipal solid waste without a permit, placing it in a large tank and burning it. A November 14, 2016, inspection by WDEQ-SHWD staff revealed again that Mr. Dimick and Hopper Metals/Disposal were continuing this practice of collection without a permit and burning the waste collected.

Mr. Dimick and Hopper Metals/Disposal have now filed the present application and merely changed the name of the entity and location under which it will be operated. However, the same principal will be operating the facility. The above detailed activities illustrate that Mr. Dimick, no matter what entity he is operating under or location of the site, is not inclined to follow any environmental rules and regulations. Even after being notified that they could not collect municipal solid waste without a permit and burn it, they continued to do so. This blatant disregard for the environmental and regulatory rules illustrates that while the permit may be issued with certain requirements and limitations, there is concern that Mr. Dimick and Hopper Metals/Disposal will not adhere to the regulations and requirements. If the regulations and requirements are not adhered to, human health and safety and/or environmental damage will result.

The environmental issues are of further concern given that the permit application is for land located across Smith Street from the Riverton City limits. This means a mere separation of 60 feet from the Riverton City limits. If in fact human health and safety and/or environmental issues arise, it will affect the over 10,000 residents of the City. While the District also has a transfer station located in the same area, it is subject to more stringent rules and regulations and has adhered to the same. Therefore, the risk to residents of the City of Riverton do not arise from the District transfer station in the same manner as they arise from the proposed application of Mike Dimick and Hopper Metals/Disposal.

Finally, the District has concern over waste recycling and diversion. Presently, the District operates a recycling/waste diversion program at its various sites throughout Fremont County, including at its transfer station in Riverton. The purpose of the recycling/waste diversion efforts are to prevent environmentally harmful waste from entering into the waste stream that is disposed of and to make use of materials that can be recycled; thus, saving landfill space and energy in production of the materials that are used. The application of Mike Dimick and Hopper Metals/Disposal does not address recycling or diversion of unsafe waste in any manner. While the notice indicates that they propose to store certain quantities of items and material on site, it does not explain what is to be done with the materials. Furthermore, the application does not address certain items containing environmentally harmful materials, such as electronics.

If Mr. Dimick's and Hopper Metals/Disposal's intent is to avail themselves of the District's recycling/waste diversion programs, it needs to be recognized that this may not be available. The District is able to operate recycling/waste diversion efforts on the basis of user fees. If user fees are reduced, but the recycling/waste diversion demand remains the same, the District may no longer be able to offer recycling/waste diversion. This would result in an absence of re-use of products and materials and also the threat of environmentally harmful materials reaching the final disposal site and potential contamination of the same.

The application of Mike Dimick and Hopper Metals/Disposal is hereby objected to by the Fremont County Solid Waste Disposal District. There are absent the rules and requirements necessary to ensure the safety of the residents of the area, including the over 10,000 persons that reside in Riverton, Wyoming. Additionally, the applicant is by a person and group that have been issued a Notice of Violation by the WDEQ-SHWD that is presently pending for violation of the WDEQ's Solid and Hazardous Waste Division Rules and Regulations. Not only are Mike Dimick and Hopper Metals/Disposal subject to a Notice of Violation, they have disregarded investigations that notified them that they were violating the rules and regulations, but sought to continue these illegal activities. The formation of a new entity

at a new location to operate under does not change the fact that Mike Dimick and Hopper Metals/Disposal have been principally involved in the prior violations. Finally, issuance of the permit would have a negative impact upon the District's recycling efforts.

Thank you,



Andrew Frey, P.E.
Superintendent of Operations
Fremont County Solid Waste Disposal District



Michael Adams
Board of Directors Vice-Chairman
Fremont County Solid Waste Disposal District

cc: Luke Esch, WDEQ-SHWD