



November 21, 2018

G2 Logistics LLC
4730 S Silvermaple Ave
Boise, ID 83709-5781

RE: Violation of the Montana Solid Waste Management Act [CVID #21021]

To Whom it May Concern:

The Enforcement Program (ENF) of the Montana Department of Environmental Quality (DEQ) received a report of a semi-truck accident, involving your truck, that resulted in the loss of approximately 3350 gallons of asphalt oil. The accident occurred on November 19, 2018, along Highway 191, near mile marker 15, Gallatin County, Montana.

As of the date of this letter, ENF has not received any written documentation that indicates the site has been fully assessed and the contaminated soils have been cleaned up and properly disposed of.

This letter is to inform you that the spill of asphalt oil at the above-referenced location is an improper disposal of a solid waste and therefore constitutes a violation of the Montana Solid Waste Management Act (SWMA).

In accordance with the SWMA and the Administrative Rules of Montana (ARM):

- It is unlawful to dispose of solid waste except as permitted. *See* Section 75-10-212, Montana Code Annotated (MCA);
- Disposal is defined as the discharge, injection, deposit, dumping, spilling, leaking, or placing of any solid waste into or onto the land. *See* Section 75-10-203(3), MCA; and
- Contaminated soil means soil, rocks, dirt, or earth that has been made impure by contact, commingling, or consolidation with petroleum hydrocarbons. *See* ARM 17.50.502(8).
- Waste is defined as useless, unwanted, or discarded materials in any physical form. *See* ARM 17.50.502(41).
- Contaminated soils are Group II wastes that require disposal at a Class II solid waste management system. *See* ARM 17.50.503.

In order to return to compliance, ENF requests that the following corrective actions be conducted:

- By December 21, 2018, complete assessment and remedial actions, including proper disposal of all impacted media.

As this incident occurred on a public right-of-way, an encroachment permit (Permit) may be required. For information on obtaining a Permit, please contact the Montana Department of Transportation Maintenance Area Office at:

http://www.mdt.mt.gov/mdt/organization/maint_sites.shtml

- By February 21, 2019, submit a cleanup report meeting ENF's Standardized Cleanup Report (Report) format. The Report can be submitted by email or by using Montana's File Transfer Service (FTS). For information and instructions on using FTS, please visit <https://transfer.mt.gov/Home/Instructions>

DEQ's Standardized Cleanup Report, Soil Sampling Guidance, and Spill Reporting Policy can be accessed on ENF's web site under Policy & Resources at: <http://deq.mt.gov/DEQAdmin/ENF>. Please note that cleanup reports not submitted in the Standardized Cleanup Report format will no longer be accepted by ENF.

Please reference **CVID 21021** on any future correspondence related to this incident.

If you have questions related to this matter or feel the information provided to ENF regarding this spill is not factually accurate, please contact me at either ssteinweden@mt.gov or the telephone number listed below.

Sincerely,



Shasta Steinweden
Environmental Enforcement Specialist
Enforcement Program
(406) 444-3109; fax (406) 444-1923
email: ssteinweden@mt.gov

cc via email: Gallatin County Sanitarian
Gallatin County DES
Joe Radonich, MDT
Ken Custer, Idaho Asphalt
Tara Ross & Jamie Hanson, National Park Service