



June 24, 2019

Roadrunner Equipment Leasing LLC
2758 Commerce Drive
Kokomo, IN 46902

RE: May 25, 2019, Diesel Fuel Spill in Violation of the Montana Solid Waste Management Act [CVID #21419]

To Whom It May Concern:

The Enforcement Program (ENF) of the Montana Department of Environmental Quality (DEQ) received a report of a Roadrunner Equipment Leasing LLC (REL) release of approximately 50 gallons of diesel fuel to the road surface as the result of a semi-truck accident at Mile Marker 321 on Interstate 90 E in Gallatin County, Montana.

The spill of diesel fuel to the environment is an improper disposal of a solid waste and constitutes a violation of the Montana Solid Waste Management Act (SWMA). 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.

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

- **By July 24, 2019**, complete assessment and remedial actions, including proper disposal of all impacted media. Since 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 September 22, 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>

Under 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

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- 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.

DEQ's Standardized Cleanup Report, Soil Sampling Guidance, and Spill Reporting Policy can be found 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 21419** 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 kim.speckman2@mt.gov or the telephone number listed below.

Sincerely,

Kim Speckman

Kim Speckman
Environmental Enforcement Specialist
Enforcement Program
(406) 444-1453; fax (406) 444-1923
email: kim.speckman2@mt.gov

cc via email: Gallatin County Sanitarian
Gallatin County DES
Joe Radonich, MDT