



July 8, 2015

SYSCO Montana, Inc.  
1509 Monad Rd  
Billings, MT 59101

**RE: Violation of the Montana Solid Waste Management Act [CVID #18511]**

To Whom It May Concern,

On June 23, 2015, the Enforcement Division (ENFD) of the Montana Department of Environmental Quality (DEQ) received a report that 25 gallons of diesel spilled from an accident involving a refrigerator unit on a pup trailer along Interstate 90, near mile marker 289, Gallatin County, Montana.

This letter is to inform you that the release of diesel 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).

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
- Contaminated soil 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.
- 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.

Due to the size of the spill, ENFD does not require the collection of soil samples to demonstrate adequate removal of contaminated media unless the release threatens state waters.

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

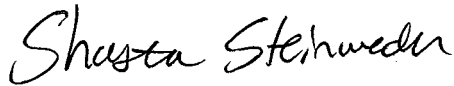
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- By August 8, 2015, complete assessment and remedial actions including proper disposal of all impacted media and submit a statement certifying impacted media was properly disposed of. The statement should include a brief discussion on actions implemented to mitigate environmental impacts, cleanup activities, and disposal information.

DEQ's Spill Management and Reporting Policy is available online at:  
[http://deq.mt.gov/enf/Reports/SpillPolicy\\_2012.pdf](http://deq.mt.gov/enf/Reports/SpillPolicy_2012.pdf).

If you have questions related to this matter or feel the information provided to DEQ regarding this spill is not accurate, please contact me at the telephone number or email address listed below.

Sincerely,



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

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