

**Gerard M. Schuster**  
**DEPUTY COUNTY ATTORNEY**  
**Roosevelt County**  
112 Main Street  
Wolf Point, Montana 59201  
Telephone: (406) 653-2201

2012 JUL -2 PM 4:41

FILED  
EPA REGION VIII  
HEARING CLERK

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

**Docket No. RCRA-08-2012-0002**

\*\*\*\*\*

IN THE MATTER OF	)	
	)	
	)	
ROOSEVELT COUNTY ROAD SHOP,	)	ANSWER AND REQUEST
	)	FOR HEARING
EPA ID No. MTD0000370023,	)	
	)	
Respondent.	)	

\*\*\*\*\*

Respondent, by and through counsel, answers the Complaint on file herein.

**GENERAL ALLEGATIONS**

Respondent admits the general allegations of the Complaint except as denied or explained as follows:

1. Paragraph 10. The date of such notification as a generator of hazardous waste is unknown to Respondent.
2. Paragraph 13. Respondent is not certain of the number of drums appearing to hold used oil. Respondent is not certain of the approximate number of containers appearing to hold waste paint.
3. Paragraphs 14 and 16. Regarding the used paint containers, Respondent states by way of explanation for their presence at the site and in mitigation of proposed civil penalty:

The paint containers were not the property of the Respondent or Roosevelt County. They were believed to have been purchased from a decommissioned Air Force Base facility by an individual and may have been intended for use by a rural fire department. However, they were eventually stored at the County facility. The circumstances of their placement at the facility are unknown to Respondent.

Further, Respondent did make an attempt to identify the contents of the paint drums in 2011 and sent samples for testing. Results, however, were not received until April 23, 2012 – see attached Answer Exhibit 1 (test results received April 23, 2012).

4. Paragraph 17. Since the filing of the Complaint herein, all required actions regarding the used oil drums have been performed, and letters detailing the actions taken, have been sent to the Environmental Protection Agency (EPA).

#### **COUNT 1 – ANSWER**

1. Paragraph 20. Respondent did make an attempt to have the waste paint sampled in 2011, the precise date being unknown. Results, however, were not received until April 23, 2012 (see Exhibit1).

#### **COUNT 2 – ANSWER**

1. Paragraphs 24 and 25. Since the filing of the Complaint herein, used oil drums in good condition containers have been marked as required. All other empty drums have been removed from the facility and hauled to a landfill.
2. Paragraphs 26 and 27. Since the filing of the Complaint herein, Respondent has temporarily contained the stained soil as required by EPA and has sent in test samples. To date, test results have not been obtained.

Respondent has provided EPA a plan of stained soil removal from the site to an approved facility. Removal is pending receipt of test results.

#### **PROPOSED CIVIL PENALTY**

Respondent requests abatement of the proposed civil penalty. Mitigating factors are as follows:

1. The paint drums/containers were not Respondent's property and the circumstances of their placement at Respondent's facility are unknown and not condoned by the Respondent.
2. Respondent did make an effort to have the paint drums sampled in 2011, but due to a number of factors, results were not obtained until April 23, 2012.
3. Respondent has taken prompt action and has devoted extensive resources to comply with the EPA's orders on this matter. To date:
  - a. The waste paint drums have been tested and removed from the facility. Details have been provided to EPA.
  - b. The two used oil containers now in use are in compliance with the EPA's orders. Other containers have been removed and destroyed.
  - c. The soil impacted by used oil releases has been contained in a temporary holding area pending receipt of test results. Upon receipt of results, Respondent intends to transport the stained soil to an approved facility for disposal. Details have been provided to EPA.
4. Respondent has incurred and will continue to incur considerable costs in complying with the EPA orders. Respondent has incurred over \$42,000.00 in direct and in-house costs to date. Additional costs anticipated include stained soil removal and testing costs. (See Exhibit 2).

### **CONCLUSION**

Respondent has carefully, expeditiously and seriously complied with the orders of the EPA in regard to this Complaint to the extent possible to date. Respondent believes that the stained soil removal will be concluded soon, and that Respondent will be in full compliance with the orders.

Respondent believes that there are good and sufficient reasons to abate the proposed civil penalty in this matter. Respondent requests abatement of the penalty, or credit for costs incurred in compliance orders.

### **REQUEST FOR PUBLIC HEARING**

Respondent requests a public hearing on all issues not otherwise informally resolved by and between the parties by settlement or stipulation.

DATED this 28<sup>th</sup> day of June, 2012.



**ROOSEVELT COUNTY, d/b/a  
ROOSEVELT COUNTY ROAD SHOP**

By:

GERARD M. SCHUSTER  
Deputy County Attorney

\*\*\*\*\*

**CERTIFICATE OF MAILING**

\*\*\*\*\*

I hereby certify that the foregoing was duly served upon the respective parties entitled to service by depositing a true and correct copy of **ANSWER AND REQUEST FOR HEARING** in the United States mails at Wolf Point, Montana, enclosed in a sealed envelope with first class postage prepaid thereon and addressed as follows:

LINDA JACOBSON  
8ENF-RCRA  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80201-1129

CHARLES L. FIGUR  
8ENF-RCRA  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

ANDREW M. GAYDOSH  
Assistant Regional Administrator  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

RALPH J. PATCH  
Roosevelt County Attorney  
400 – 2<sup>nd</sup> Avenue South  
Wolf Point, MT 59201

CHAIRMAN FLOYD AZURE  
Assiniboine & Sioux Tribes  
Fort Peck Indian Reservation  
P.O. Box 1027  
Poplar, MT 59255-1027

DEB MADISON  
Environmental Program Manager  
Assiniboine & Sioux Tribes  
P.O. Box 1027  
Poplar, MT 59255-1027

ROOSEVELT COUNTY COMMISSIONERS  
Roosevelt County Courthouse  
400 – 2<sup>nd</sup> Avenue South  
Wolf Point, MT 59201

**DATED** this 29<sup>th</sup> day of June, 2012.



Amy K. Keller, Secretary  
Schuster Law Office, P.C.  
112 Main Street  
Wolf Point, Montana 59201  
Telephone: (406) 653-2201  
FAX: (406) 653-2202

ATTN: Ken

Page 1082

406-653-6201

**Systech Environmental Corporation**

1420 South Cement Road Fredonia, KS 66736  
620.378.4451 fax 620.378.4505 EPA ID#KSD980633259

Qual Analysis Form

Liquid

Generator: Roosevelt County

Date: 4/11/12

Profile: \_\_\_\_\_

Lab Sample: 56675

Type:  Container  Bulk  VABO

Wet Lab Analysis

BTU: 9818

Chlorine: 20.1

pH: 4

Solids: 8

Density: 0.91

Water: 39

Rick

Cyanide:	Negative	Positive	(NA)
Oxidizer:	Negative	Positive	
Radiation Check:	Negative	Positive	
Tank Compatibility:	Compatible	Not Compatible	

Comments: \_\_\_\_\_  
\_\_\_\_\_

### Systech Environmental Corporation

1420 South Cement Road Fredonia, KS 66736  
620.378.4461 fax 620.378.4505 EPA ID#KSD980633259

#### Qual Analysis Form

*Solid*

Generator: Roosevelt County Date: 4/10/12

Profile: \_\_\_\_\_  
Lab Sample: 56676  
Type: Container Bulk VABO

#### Wet Lab Analysis

BTU: 11363  
Chlorine: 20.1  
pH: 5  
Solids: 100  
Density: NA  
Water: NA

Cyanide: Negative Positive NA  
Oxidizer: Negative Positive  
Radiation Check: Negative Positive  
Tank Compatibility: Compatible Not Compatible

Comments: \_\_\_\_\_  
\_\_\_\_\_







# CITY OF WOLF POINT

201 4th Avenue South  
Wolf Point, MT 59201  
406-653-1852 fax 406-653-3240  
wpfinance@nemont.net

Invoice # 6377

## INVOICE

### Customer

Roosevelt Co. Roads  
400 2nd Ave S  
Wolf Point MT 59201

Date 5/21/2012

1.5% FI Charge on  
invoices 30 days past  
due date

Due Date 6/20/2012

Qty	Description	Unit Price	Amount
1.48	Tons Construction Debris	24.00	35.52
16.51	Tons Tires	200.00	3,302.00
OFFICE USE ONLY			<b>Total</b> \$3,337.52

oil Barrels

**RECEIVED**  
MAY 22 2012  
BY: *[Signature]*

### Payment Details

DATE: \_\_\_\_\_

RECEIPT# \_\_\_\_\_

CHECK # \_\_\_\_\_

### Customer Message:

CITY OF WOLF POINT LANDFILL 09834

08:09 05-14-2012  
TRK ID: R COUNTY

21340 6 lb

WASTE TYPE
<input type="checkbox"/> CLASS II
<input checked="" type="checkbox"/> CLASS III / IV
<input type="checkbox"/> TIRES
<input type="checkbox"/> _____

08:17 05-14-2012  
TRK ID: R COUNTY

21340 6 lb Mem\_Wt  
20600 T lb  
740 N lb  
( .37 N T)

<input type="checkbox"/> CASH
<input type="checkbox"/> CHARGE

*Deed McCall*  
SIGNATURE

FEE
\$ _____ .00

CITY OF WOLF POINT LANDFILL 09835

FM

08:45 05-14-2012  
TRK ID: R COUNTY

21880 6 lb

WASTE TYPE
<input checked="" type="checkbox"/> CLASS II
<input checked="" type="checkbox"/> CLASS III / IV
<input type="checkbox"/> TIRES
<input type="checkbox"/> _____

08:58 05-14-2012  
TRK ID: R COUNTY

21880 6 lb Mem\_Wt  
20340 T lb  
1540 N lb  
( .77 N T)

oil barrels

<input checked="" type="checkbox"/> CASH
<input checked="" type="checkbox"/> CHARGE

*Jeff Newton*  
SIGNATURE

FEE
\$ _____ .00

CITY OF WOLF POINT LANDFILL 09839

FM

09:41 05-14-2012  
TRK ID: R COUNTY

21460 6 lb

WASTE TYPE
<input type="checkbox"/> CLASS II
<input checked="" type="checkbox"/> CLASS III / IV
<input type="checkbox"/> TIRES
<input type="checkbox"/> _____

09:47 05-14-2012  
TRK ID: R COUNTY

21460 6 lb Mem\_Wt  
20780 T lb  
680 N lb  
( .34 N T)

<input type="checkbox"/> CASH
<input checked="" type="checkbox"/> CHARGE

*Deed McCall*  
SIGNATURE

FEE
\$ _____ .00

CITY OF WOLF POINT LANDFILL 09840

FM

09:50 05-14-2012  
TRK ID: R COUNTY

25500 6 lb

WASTE TYPE
<input type="checkbox"/> CLASS II
<input type="checkbox"/> CLASS III / IV
<input checked="" type="checkbox"/> TIRES
<input type="checkbox"/> _____

09:58 05-14-2012  
TRK ID: R COUNTY

25500 6 lb Mem\_Wt  
20280 T lb  
5220 N lb  
( 2.61 N T)

Tires

<input type="checkbox"/> CASH
<input checked="" type="checkbox"/> CHARGE

*Jeff Newton*  
SIGNATURE

FEE
\$ _____ .00

10:05 05-14-2012  
TRK ID: R COUNTY

21740 G 1b

CITY OF WOLF POINT LANDFILL 09841

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

10:11 05-14-2012  
TRK ID: R COUNTY

21740 G 1b Mem\_Wt  
20700 T 1b  
1040 N 1b  
( .52 N T)

Tires

<input type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*Deek Marshall*  
SIGNATURE

FEE	
\$	_____00

10:19 05-14-2012  
TRK ID: R COUNTY

25480 G 1b

CITY OF WOLF POINT LANDFILL 09842

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

10:26 05-14-2012  
TRK ID: R COUNTY

25480 G 1b Mem\_Wt  
20340 T 1b  
5140 N 1b  
( 2.57 N T)

Tires

<input checked="" type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*Jeff Nutter*  
SIGNATURE

FEE	
\$	_____00

10:29 05-14-2012  
TRK ID: R COUNTY

24280 G 1b

CITY OF WOLF POINT LANDFILL 09843

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

10:35 05-14-2012  
TRK ID: R COUNTY

24280 G 1b Mem\_Wt  
20860 T 1b  
3420 N 1b  
( 1.71 N T)

Tires

<input type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*Deek Marshall*  
SIGNATURE

FEE	
\$	_____00

10:46 05-14-2012  
TRK ID: R COUNTY

25800 G 1b

CITY OF WOLF POINT LANDFILL 09844

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

10:54 05-14-2012  
TRK ID: R COUNTY

25800 G 1b Mem\_Wt  
20520 T 1b  
5280 N 1b  
( 2.64 N T)

Tires

<input type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*David Jones*  
SIGNATURE

FEE	
\$	_____00

CITY OF WOLF POINT LANDFILL 09848

*Fm*

12:22 05-14-2012  
TRK ID: R COUNTY

24280 G lb

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

12:27 05-14-2012  
TRK ID: R COUNTY

24280 G lb Mem.Wt  
21100 T lb  
3180 N lb  
( 1.59 N T)

*Tires*

<input type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*Deuk Mynall*  
SIGNATURE

FEE	
\$	_____00

CITY OF WOLF POINT LANDFILL 09846

*Fm*

12:01 05-14-2012  
TRK ID: DEMO 1

24060 G lb

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

12:07 05-14-2012  
TRK ID: DEMO 1

24060 G lb Mem.Wt  
20340 T lb  
3720 N lb  
( 1.86 N T)

*Tires Rose County*

<input checked="" type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*Jeff Nantane*  
SIGNATURE

FEE	
\$	_____00

CITY OF WOLF POINT LANDFILL 09848

*Fm*

11:54 05-14-2012  
TRK ID: R COUNTY

26680 G lb

WASTE TYPE	
<input type="checkbox"/>	CLASS II
<input type="checkbox"/>	CLASS III / IV
<input checked="" type="checkbox"/>	TIRES
<input type="checkbox"/>	

12:02 05-14-2012  
TRK ID: R COUNTY

26680 G lb Mem.Wt  
20660 T lb  
6020 N lb  
( 3.01 N T)

*Tires*

<input type="checkbox"/>	CASH
<input checked="" type="checkbox"/>	CHARGE

*Deuk Mynall*  
SIGNATURE

FEE	
\$	_____00



**Beartooth Environmental, Inc.**  
 5635 Silver Saddle Dr. Shepherd, Montana 59079  
 Phone 406-373-2220 Fax 406-373-6300  
 E-Mail - [scott@beartoothenvironmental.com](mailto:scott@beartoothenvironmental.com)

**COPY**

**Fax Cover Sheet**

\_\_\_\_\_

Date: 5-15-12

This fax is directed to: Ken Norgaard  
 Company: Roosevelt County Shop

Phone Number: 406-768-7081 Fax Number: 406-653-6201

Number of pages including cover sheet: 6

\_\_\_\_\_

**Message**

Hi Ken, attached is the 8700 form I completed with your information we discussed over the phone. Please Fed (ex) this form and \$225.00 check made out to Montana DEQ to:

Attn: Mark Hall  
 Montana DEQ Hazardous waste management  
 1520 East 6<sup>th</sup> Ave.  
 Helena Montana 59620

**Thanks**

\* Please sign / Title / Date on page 4 \*  
 at the Bottom.

This fax sent by: Scott Jorgenson

Original

By

*[Signature]*

FOR Point Disposal & Fuel Dept

\$ 225.00

Two hundred twenty five and no/100 DOLLARS

RECEIVED OF THE CLERK & RECORDER, ROOSEVELT COUNTY, MONTANA

Wolf Point, Montana 5-16-12

RECEIPT

No 6707

6707

CLERK AND RECORDER  
ROOSEVELT COUNTY, MONTANA

93-270/929

DATE 5-16-12

PAY TO THE ORDER OF

MT DEQ

\$ 225.00

Two hundred twenty-five and no/100

DOLLARS



Western Bank of Wolf Point  
(406) 633-2550  
P.O. Box 638 • Wolf Point, Montana 59211

*[Signature]*

OR

Point Disposal

Chief A. Hansen

110



**United States Environmental Protection Agency  
RCRA SUBTITLE C SITE IDENTIFICATION FORM**

**SEND COMPLETED FORM TO:**  
The Appropriate State or Regional Office.

**1. Reason for Submittal**  
  
MARK ALL BOX(ES) THAT APPLY

- Reason for Submittal:**
- To provide an Initial Notification (first time submitting site identification information / to obtain an EPA ID number for this location)
  - To provide a Subsequent Notification (to update site identification information for this location)
  - As a component of a First RCRA Hazardous Waste Part A Permit Application
  - As a component of a Revised RCRA Hazardous Waste Part A Permit Application (Amendment # \_\_\_\_\_)
  - As a component of the Hazardous Waste Report (If marked, see sub-bullet below)
  - Site was a TSD facility and/or generator of  $\geq 1,000$  kg of hazardous waste,  $>1$  kg of acute hazardous waste, or  $>100$  kg of acute hazardous waste spill cleanup in one or more months of the report year (or State equivalent LQG regulations)

**2. Site EPA ID Number**

EPA ID Number MT000003701023

**3. Site Name**

Name: Roosevelt County shop

**4. Site Location Information**

Street Address: Highway 2 East  
 City, Town, or Village: Wolf Point County: Roosevelt  
 State: Montana Country: U.S.A Zip Code: 59201

**5. Site Land Type**

Private  County  District  Federal  Tribal  Municipal  State  Other

**6. NAICS Code(s) for the Site (at least 5-digit codes)**

A. 237310 C. \_\_\_\_\_  
 B. \_\_\_\_\_ D. \_\_\_\_\_

**7. Site Mailing Address**

Street or P.O. Box: 400 2nd Ave. South  
 City, Town, or Village: Wolf Point  
 State: Montana Country: U.S.A Zip Code: 59201

**8. Site Contact Person**

First Name: Ken MI: Last: Norgaard  
 Title: Road Forman  
 Street or P.O. Box: 400 2nd Ave. South  
 City, Town or Village: Wolf Point  
 State: Montana Country: U.S.A Zip Code: 59201  
 Email: NA  
 Phone: 406-768-7081 Ext.: Fax: 406-653-6201

**9. Legal Owner and Operator of the Site**

A. Name of Site's Legal Owner: Roosevelt County shop Date Became Owner:  
 Owner Type:  Private  County  District  Federal  Tribal  Municipal  State  Other  
 Street or P.O. Box: 400 2nd Ave. South Phone: 406-768-7081  
 City, Town, or Village: Wolf Point Zip Code: 59201  
 State: Montana Country: U.S.A  
 B. Name of Site's Operator: Ken Norgaard Date Became Operator: 1932  
 Operator Type:  Private  County  District  Federal  Tribal  Municipal  State  Other



**10. Type of Regulated Waste Activity (at your site)**

Mark "Yes" or "No" for all current activities (as of the date submitting the form); complete any additional boxes as instructed.

**A. Hazardous Waste Activities; Complete all parts 1-7.**

- Y  N  **1. Generator of Hazardous Waste**  
 If "Yes", mark only one of the following - a, b, or c.
- a. LQG: Generates, in any calendar month, 1,000 kg/mo (2,200 lbs./mo.) or more of hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 1 kg/mo (2.2 lbs./mo) of acute hazardous waste; or Generates, in any calendar month, or accumulates at any time, more than 100 kg/mo (220 lbs./mo) of acute hazardous spill cleanup material.
- b. SQG: 100 to 1,000 kg/mo (220 - 2,200 lbs./mo) of non-acute hazardous waste.
- c. CESQG: Less than 100 kg/mo (220 lbs./mo) of non-acute hazardous waste.
- If "Yes" above, Indicate other generator activities.
- Y  N  d. Short-Term Generator (generate from a short-term or one-time event and not from on-going processes). If "Yes", provide an explanation in the Comments section.
- Y  N  e. United States Importer of Hazardous Waste
- Y  N  f. Mixed Waste (hazardous and radioactive) Generator

- Y  N  **2. Transporter of Hazardous Waste**  
 If "Yes", mark all that apply.
- a. Transporter
- b. Transfer Facility (at your site)
- Y  N  **3. Treater, Storer, or Disposer of Hazardous Waste** Note: A hazardous waste permit is required for these activities.
- Y  N  **4. Recycler of Hazardous Waste**
- Y  N  **5. Exempt Boiler and/or Industrial Furnace**  
 If "Yes", mark all that apply.
- a. Small Quantity On-site Burner Exemption
- b. Smelting, Melting, and Refining Furnace Exemption
- Y  N  **6. Underground Injection Control**
- Y  N  **7. Receives Hazardous Waste from Off-site**

**B. Universal Waste Activities; Complete all parts 1-2.**

- Y  N  **1. Large Quantity Handler of Universal Waste (you accumulate 5,000 kg or more) [refer to your State regulations to determine what is regulated]. Indicate types of universal waste managed at your site. If "Yes", mark all that apply.**
- a. Batteries
- b. Pesticides
- c. Mercury containing equipment
- d. Lamps
- e. Other (specify) \_\_\_\_\_
- f. Other (specify) \_\_\_\_\_
- g. Other (specify) \_\_\_\_\_
- Y  N  **2. Destination Facility for Universal Waste**  
 Note: A hazardous waste permit may be required for this activity.

**C. Used Oil Activities; Complete all parts 1-4.**

- Y  N  **1. Used Oil Transporter**  
 If "Yes", mark all that apply.
- a. Transporter
- b. Transfer Facility (at your site)
- Y  N  **2. Used Oil Processor and/or Re-refiner**  
 If "Yes", mark all that apply.
- a. Processor
- b. Re-refiner
- Y  N  **3. Off-Specification Used Oil Burner**
- Y  N  **4. Used Oil Fuel Marketer**  
 If "Yes", mark all that apply.
- a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner
- b. Marketer Who First Claims the Used Oil Meets the Specifications



**D. Eligible Academic Entities with Laboratories—Notification for opting into or withdrawing from managing laboratory hazardous wastes pursuant to 40 CFR Part 262 Subpart K**

❖ You must check with your State to determine if you are eligible to manage laboratory hazardous wastes pursuant to 40 CFR Part 262 Subpart K

1. Opting into or currently operating under 40 CFR Part 262 Subpart K for the management of hazardous wastes in laboratories  
See the item-by-item instructions for definitions of types of eligible academic entities. Mark all that apply:

- a. College or University
- b. Teaching Hospital that is owned by or has a formal written affiliation agreement with a college or university
- c. Non-profit institute that is owned by or has a formal written affiliation agreement with a college or university

2. Withdrawing from 40 CFR Part 262 Subpart K for the management of hazardous wastes in laboratories

**11. Description of Hazardous Waste**

**A. Waste Codes for Federally Regulated Hazardous Wastes.** Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.

D001	D035					

**B. Waste Codes for State-Regulated (i.e., non-Federal) Hazardous Wastes.** Please list the waste codes of the State-Regulated hazardous wastes handled at your site. List them in the order they are presented in the regulations. Use an additional page if more spaces are needed.

N/A						

**12. Notification of Hazardous Secondary Material (HSM) Activity**

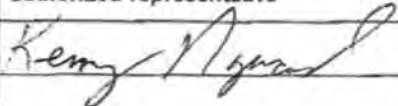
Y  N  Are you notifying under 40 CFR 260.42 that you will begin managing, are managing, or will stop managing hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 40 CFR 261.4(a)(23), (24), or (25)?

If "Yes", you must fill out the Addendum to the Site Identification Form: Notification for Managing Hazardous Secondary Material.

**13. Comments**

This is a one time site LQG. Once shipment is completed would like to go to a CESQG status.

**14. Certification.** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations. For the RCRA Hazardous Waste Part A Permit Application, all owner(s) and operator(s) must sign (see 40 CFR 270.10(b) and 270.11).

Signature of legal owner, operator, or an authorized representative	Name and Official Title (type or print)	Date Signed (mm/dd/yyyy)
	County Road Foreman	5-16-12

**ADDENDUM TO THE SITE IDENTIFICATION FORM:  
NOTIFICATION OF HAZARDOUS SECONDARY MATERIAL ACTIVITY**



**Before filling out this section:**

- ❖ You must check with your State to determine if you are eligible to manage hazardous secondary material under 40 CFR 261.2(a)(2)(ii), 261.4(a)(23), (24), or (25). (See also <http://www.epa.gov/epawaste/hazard/dsw/statespf.htm>.)
- ❖ You must be managing hazardous secondary material, which is secondary material (e.g., spent material, by-product, or sludge) that when discarded, would be identified as hazardous waste under 40 CFR Part 261. Do not include any information regarding your hazardous wastes in this section.
- ❖ You must submit a completed Site Identification Form, including this Addendum, prior to operating under the exclusion(s) and by March 1 of each even-numbered year thereafter to your regulatory authority using the Site Identification Form as pursuant to 40 CFR 260.42. Persons who must satisfy this notification requirement can submit information at the same time as their Biennial Report (which is also due by March 1 of each even-numbered year).
- ❖ If you stop managing hazardous secondary material in accordance with the exclusions(s) and do not expect to manage any amount of hazardous secondary material under the exclusions(s) for at least one year, you must also submit a completed Site Identification Form, including this Addendum, within thirty (30) days pursuant to 40 CFR 260.42.

**1. Indicate reason for notification. Include dates where requested.**

- Notifying that the facility will begin managing hazardous secondary material as of \_\_\_\_\_ (mm/dd/yyyy).
- Re-notifying that the facility is still managing hazardous secondary material.
- Notifying that the facility has stopped managing hazardous secondary material as of \_\_\_\_\_ (mm/dd/yyyy).

**2. Description of hazardous secondary material (HSM) activity.** Please list the appropriate codes and quantities in **short tons** to describe your hazardous secondary material activity ONLY (do not include any information regarding your hazardous wastes in this section). Use additional pages if more space is needed.

a. Facility code (answer using codes listed in the Code List section of the instructions)	b. Waste code(s) for hazardous secondary material (HSM)	c. Estimated short tons of HSM to be managed annually	d. Actual short tons of HSM that was managed during the most recent odd-numbered year	e. Land-based unit code (answer using codes listed in the Code List section of the instructions)

**3. Facility has financial assurance pursuant to 40 CFR 261 Subpart H.** (Financial assurance is required for reclaimers and intermediate facilities managing hazardous secondary material under 40 CFR 261.4(a)(24) and (25))

Y  N  Does this facility have financial assurance pursuant to 40 CFR 261 Subpart H?

# Beartooth Environmental, Inc.

Invoice

5635 Silver Saddle Drive  
Shepherd, MT 59079

Pho # 406-373-2220 scott@beartoothenvironmental.com  
Fax # 406-373-6300 www.beartoothenvironmental.com

Date	Invoice #
6/25/2012	4899



<b>Bill To</b>
Roosevelt County Shop ken Norgaard 400 2nd Ave. South Wolf Point, Montana 59201

**RECEIVED**  
BY: *K. Norgaard*

Description	P.O. No.	Terms	Manifest #
	Ken Norgaard	Net 15	
Description	Qty	Rate	Amount
Waste lead based paint disposal shipped 5-23-12 Over packed 30 gallon containers	67	200.00	13,400.00
Waste lead based paint disposal shipped 5-23-12 Over packed 55 gallon containers	23	200.00	4,600.00
Waste lead based paint loose pack disposal shipped 5-23-12	2	450.00	900.00
Delivered 55 gallon over pack DOT shipping containers	69	65.00	4,485.00
Delivered 85 gallon over pack DOT shipping containers	23	125.00	2,875.00
Transportation to the disposal site on the first Truck 5-23-12	1	5,700.00	5,700.00
Transportation to the disposal site on the second Truck 5-30-12	1	3,600.00	3,600.00
Thank you for your business.		<b>Total</b>	\$35,560.00
		<b>Payments/Credits</b>	\$0.00
		<b>Balance Due</b>	\$35,560.00

*Thank you*



**Beartooth Environmental, Inc.**

5635 Silver Saddle Dr.

Shepherd, MT 59079

Phone (406) 373-2220 Fax (406) 373-6300

**WORK ORDER AUTHORIZATION**

Generator: Roosevelt County shop

Attn: Ken Norgaard

Phone: 406-768-7081

Work order#: 4899

EPA ID #: MT0000370023

Manifest #:

Site: Highway 2 East  
Wolf Point, Montana 59201

Phone: 406-768-7081

Bill to Customer: Roosevelt County shop

400 2nd Ave. South

Wolf Point, Montana 59201

Cust. P.O. #: Ken Norgaard

Phone: 406-768-7081

Site Contact: Ken Norgaard

**Pickup for Disposal**

<u>Quantity</u>	<u>Size/Type</u>	<u>Material</u>	<u>Profile</u>	<u>Disp. Site</u>
67 <del>51</del>	55/DM	Paints and related waste bulk		Systech <i>CE 11/11/11</i>
2	55/DM	Paints and related waste Loose packs		Systech
23 <del>21</del>	85/DM	Paints and related waste bulk		Systech

*10 x 20 Left Behind Due to weighed over - truck  
Picked up 5-30-12*

<i>69</i> Equip./Materials: Please deliver <del>68x55 DMOT, 23x85 DMOT, 1X6DFOT, 1X14</del> <del>DFOT, 1 bag of vermiculite</del>	Volume Of Waste:
--	------------------

The Undersigned hereby authorizes and requests Beartooth Environmental Services to perform the work specified above.

*Ken Norgaard*  
Name (Please Print)

*[Signature]*  
Signature/ Title

*5.23.12*  
Date

RMES Representative Date



## Beartooth Environmental, Inc.

5635 Silver Saddle Dr.

Shepherd, MT 59079

Phone (406) 373-2220 Fax (406) 373-6300

### WORK ORDER AUTHORIZATION

Generator: Roosevelt County shop

Attn: Ken Norgaard

Phone: 406-768-7081

Site: Highway 2 East

Wolf Point, Montana 59201

Phone: 406-768-7081

Bill to Customer: Roosevelt County shop

400 2nd Ave. South

Wolf Point, Montana 59201

Work order# 4917

EPA ID #: MT0000370023

Manifest #: 007922 6-2-12

Cust. P.O. # Ken Norgaard

Phone: 406-768-7081

Site Contact: Ken Norgaard

### Pickup for Disposal

<u>Quantity</u>	<u>Size/Type</u>	<u>Material</u>	<u>Profile</u>	<u>Disp. Site</u>
-----------------	------------------	-----------------	----------------	-------------------

10	85/DM	Paints and related waste bulk		Systech
----	-------	-------------------------------	--	---------

Equip./Materials:	Volume Of Waste:
-------------------	------------------

Van

6000

The undersigned hereby authorizes and requests Beartooth Environmental Services to perform the work specified above.

Ken Norgaard

Name (Please Print)

Ken Norgaard Road Foreman

Signature / Title

Date

5-29-12  
30

Don Williams

RMES Representative

Date

5/30/12