

January 9, 2014

Ms Anita Thomas  
North Dakota Agriculture Committee  
Bismarck, ND

Good afternoon and thank you for allowing me to provide a written statement regarding the utilization of Professional Soil Classifiers.

I am Bruce Bogenrief the general manger of Sawyer Disposal Services, a large volume, non-hazardous industrial waste landfill and wholly owned subsidiary of Clean Harbors. We operate the landfill under the regulatory guidance of the North Dakota Department of Health.

Clean Harbors utilizes professional soil classifiers for compliance with section 33-20-01.1-03 of the ND Administrative Code (NDAC) for determining quality and delineating a plan for management of suitable plant growth material for landfill closure. Final reclamation and closure of the landfill is one of the most important factors in minimizing long-term environmental degradation of the landfill cap. Minimizing erosion is dependent on the quality of soil used in the final closure. Erosion will increase post-closure maintenance costs and jeopardize the life of the landfill cap.

The Department requires that a soil survey work plan be prepared and submitted for Departmental review and approval prior to any soil survey activities on any existing or proposed solid waste management facilities. The work plan must be in accordance with NDDH guidelines and be prepared by a Registered Professional Soil Classifier.

With a substantial increase in pipe construction, oil & gas exploration activities the need for the services of a Registered Professional Soil Classifier is critical. There is a limited number of Registered Professionals in the state and the work load seems to outpace their ability to meet the demand. Many projects are time sensitive and with a narrow window of ND weather that allows the work to be completed, the demand is seasonal. While entry into group of Registered Professional Soil Classifier is possible, some of the requirements may need to be updated. For example, a skilled and qualified soil classifier from outside the state of ND may find it difficult to obtain the requisite letters of recommendation to gain registration in ND.

I believe it would be in the best interest of the committee if rules governing admittance to the ND Registered Professional Soil Classifiers be modified to allow the admittance of other qualified persons without jeopardizing the integrity of the profession.

Thank you for your time.

Sincerely,  
**CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.**  
**SAWYER DISPOSAL SERVICES, LLC**

Bruce Bogenrief, CHMM  
General Manger