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Department of Environmental Quality
Division of Solid and Hazardous Waste

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October 30, 2003

Jane S. Jones, District Manager
Solid Waste Management Special Service District #1
P.O. Box 980
Moab, UT 84532

RE: Moab Class IV Landfill Permit Renewal

Dear Ms. Jones:

Enclosed in the solid waste permit renewal (#9704R1) for the Moab Class IV Landfill. The permit is valid for five years from the effective date. Application for renewal must be made 180 days prior to the expiration date (UCA R315-311-1(3)).

If you have questions the permitting process or other solid waste issues, please contact Phil Burns or Ralph Bohn at (801) 538-6170.

Sincerely,

Original Document Signed by Dennis R. Downs on 10/30/03

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

DRD/PEB/kk

Enclosure

c: David Cunningham, B.S.N., R.N., Health Off/Dept Dir, Southeast Utah Dist Health Dept
David Ariotti, DEQ Southeastern District Engineer

**UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD
SOLID WASTE PERMIT**

CLASS IVb LANDFILL

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Utah Code Annotated (UCA) 1953, as amended (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code (UAC) R315-301 through 320 adopted thereunder,

City of Moab, Utah and Grand County, Utah as owners, and

Solid Waste Special Service District #1 and Ksue Corporation as operators

are hereby authorized to operate the Moab Class IV Landfill located in NW ¼ SW ¼ of Section 5 and the E ½ SE ¼ NE ¼ SE ¼, and E ½ NE ¼ SE ¼ SE ¼ of Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, Grand County, Utah as shown in the permit application that was determined complete on August 12, 2003.

The operation of the landfill is subject to the condition that the Solid Waste Special Service District #1, and the City of Moab and Grand County (Permittees) meet the requirements set forth herein. In accordance with the Utah Solid and Hazardous Waste Act (19-6-103-8(3)(a) UCA), Ksue Corporation is also a Permittee for those areas of operation for which it has responsibility under its contract, dated March 9, 2004, with the Solid Waste Special Service District #1.

All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this permit becomes effective.

Effective date: November 1, 2003.

Expiration date: October 31, 2008.

Signed this _____ day of _____, 2003.

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

PERMIT REQUIREMENTS

LANDFILL NAME: Moab Class IV Landfill

OWNER NAME: Solid Waste Special Service District #1

OWNER ADDRESS: P. O. Box 980
Moab, Utah 84532

OWNER PHONE NO. (435) 259-3867

OPERATOR NAME: as above

TYPE Class IVb Noncommercial Solid Waste Landfill

APPROVAL # 9704R1

LOCATION Landfill site is located in NW ¼ SW ¼ of Section 5 and the E ½ SE ¼ NE ¼ SE ¼, and the E ½ NE ¼ SE ¼ SE ¼ of Section 6, Township 26 South, Range 22 East, SLBM; Grand County

Permit as used in this document is defined in UAC R315-301-2(55).

The application as deemed complete on August 12, 2003 is hereby approved and is incorporated by reference into this Solid Waste Permit. All representations made in the permit application are part of this permit and are enforceable under UAC 315-301-5(2). The permit renewal application will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the renewal application, the wording of the permit supersedes that of the renewal application.

By this permit to operate, the Permittees shall be subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittees shall operate the Class IV landfill in accordance with the conditions of this Permit and with all requirements of UAC R315-305, that are currently effective, unless otherwise noted in this permit. Any permit noncompliance constitutes a violation of UAC R315-305 and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. Noncompliance

1. If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under UAC R315-301 through 320 may be or is being violated, the Permittees shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules. In the event of any noncompliance with any permit condition or violation of an applicable rule, the Permittees shall promptly take any feasible action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility. The Permittees shall: document the noncompliance or violation in the operating record, on the day the event occurred or the day it was discovered; notify the Executive Secretary of the Solid and Hazardous Waste Control Board within 24 hours, or the next business day following documentation of the event; and give written notice of the noncompliance or violation and measures taken to protect public health and the environment within seven days of Executive Secretary notification. Within thirty days of the documentation of the event, the Permittees shall submit, to the Executive Secretary, a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Executive Secretary may order the Permittees to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.
2. It shall not constitute a defense for the Permittees in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
3. Compliance with the terms of this permit does not constitute a defense to actions brought under any other local, State, or Federal laws. This permit does not exempt the Permittees from obtaining any other local, State or Federal permits or approvals.
4. The issuance of this Permit does not convey any property rights, other than the rights inherent in this permit, in either real or personal property, or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations including zoning ordinances.
5. The provisions of this Permit are severable. If any provision of this Permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit

to any circumstance is held invalid, its application to other circumstances shall not be affected.

C. Inspection and Inspection Access

The Permittees shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board or an authorized representative of the Board, including representatives from the Southeastern Utah District Health Department, to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or UAC R315-301 through 320;
2. Have access to and copy any records required to be kept under the terms and conditions of the Permit or UAC R315-301 through 320;
3. Inspect any loads of waste, treatment, pollution management, or control facilities required under the Permit or regulated under UAC R315-301 through 320; and
4. Obtain a record of any inspection by photographic, videotape, electronic, or other reasonable means.

D. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2; no PCB's as defined by UAC R315-301-2(53), except construction/demolition waste containing PCB's as specified by UAC R315-315-7(2)(a) and (c); no non-inert household waste, except waste resulting from the abatement, rehabilitation, renovation and remodeling of homes and other residences; no municipal waste; no special waste, except as specified in this permit; no non-inert commercial waste; and no non-inert industrial waste shall be accepted for treatment, storage, or disposal at the landfill.

E. Acceptable Waste

This permit is for disposal of nonhazardous construction/demolition waste, as defined in UAC R315-301-2(17); yard waste, as defined in UAC R315-301-2(85); inert waste, as defined in UAC R315-301-2(37); waste tires, when the requirements of UAC R315-320 are met, and petroleum contaminated soils as allowed in UAC R315-315-8(3).

F. Revocation

This permit is subject to revocation if any condition of this permit is not being met. The Permittees will be notified in writing prior to any proposed revocation action and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

Revocation of this permit does not revoke the financial assurance established for closure and post-closure care of the facility, nor remove any responsibility for completion of closure and post-closure care for the facility required in UAC R315-302-3.

G. Attachments Incorporation

Attachments incorporated by reference are enforceable conditions of this permit, as are documents incorporated by reference into the attachments. Language in this permit supercedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Construction

The landfill shall be constructed in the area designated and according to the design outlined in the permit application including landfill cells, fences, gates and berms.

The Permittees shall notify the Executive Secretary upon completion of construction of any landfill cells or run-on and run-off diversion systems. No landfill cells or run-on and run-off diversion system may be used until construction is approved by the Executive Secretary.

The Permittees shall notify the Executive Secretary of the completion of construction of any final cover system and shall provide all necessary documentation and shall apply for approval of the construction from the Executive Secretary.

B. Run-On/Run-Off Control

Perimeter drainage channels shall be constructed as specified in the permit application. These channels shall be maintained at all times to effectively prevent run-off from the surrounding property from entering the landfill and run-off from the landfill from leaving the landfill area.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the permit renewal application and the solid waste permit issued by the Executive Secretary shall be kept on-site at the landfill. The landfill shall be operated in accordance with the Operations Plan as included in the permit renewal application. If necessary, the facility owner may modify the Operations Plan, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit renewal application. Any modification to the Operations Plan shall be noted in the operating record.

B. Security

The Permittees shall operate the Landfill in a manner such that unauthorized entry to the facility is prevented. All facility gates and other access routes shall be locked during the time the landfill is not open. At least one person, employed by the Solid Waste Special Service District #1, shall be at the landfill during all hours that the landfill is open. Fencing as shown in the permit application shall be maintained to prevent access of persons or livestock by other routes.

C. Waste Inspections

The Permittees shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill. A complete waste inspection shall be conducted at a minimum frequency of 1 % of loads received, but no less than three complete inspections per month.

All containers capable of holding more than five gallons of liquid will be inspected to determine if the waste is acceptable for disposal.

All loads that the operator suspects may contain a waste not allowed for disposal at the landfill will be inspected.

Complete inspections shall be conducted as follows:

1. The operator shall conduct the random waste inspection at the working face or an area designated by the operator;
2. Loads subjected to complete inspection shall be unloaded at the designated area;
3. Loads shall be spread by equipment or by hand tools;

4. A visual inspection of the waste shall be conducted by personnel trained in hazardous waste recognition and recognition of other unacceptable waste; and'
5. The inspection shall be recorded on the waste inspection form found in the permit application. The form shall be placed in the operating record at the end of operating day.

D. Cover

The Permittees shall cover the waste periodically to prevent fires, and control vectors, blowing litter, odor, scavenging, and fugitive dust. Cover with soil or crushed asphalt shall be provided no less than quarterly. When cover is applied, the amount of cover placed and the area receiving cover shall be recorded in the operating record and certified by the operator.

E. Disposal of Liquids

Disposal of containers of liquids larger than household size (five gallons), noncontainerized material containing free liquids, or any waste containing free liquids in containers larger than five gallons is prohibited.

F. Roads

All onsite roads used for transporting waste shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

G. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-5(2)(b). Burning of material when meeting the requirements of UAC R307-202-5 is allowed in a segregated area within the landfill site. All accidental fires shall be extinguished as soon as possible.

H. Record Keeping

The Permittees shall maintain and keep on file at the landfill gatehouse an operating record as required by UAC R315-302-2(3). The landfill operator, or other designated personnel, shall date and sign the operating record at the end of each operating day. Each record to be kept shall contain the signature of the appropriate operator or personnel and the date signed. The operating record shall include the following items:

1. The daily operating record shall include the following items:
 - a. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
 - b. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
 - c. Results of other monitoring required by this permit recorded in the operating record on the day of the event or the day the information is received;
 - d. Records of all inspections conducted by the Permittees, results of the inspections, and corrective actions taken shall be recorded in the record on the day of the event;
2. The general record of landfill operations shall include the following items:
 - a. A copy of the permit including the permit application;
 - b. Results of inspections conducted by representatives of the Utah Solid and Hazardous Waste Control Board and/or representatives of the Southeastern Utah District Health Department, when forwarded to the Permittees;
 - c. Closure and Post-closure care plans; and
 - d. Records of employee training;

I. Reporting

The Permittees shall prepare and submit, to the Executive Secretary, an Annual Report as required in UAC R315-302-2(4). The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, a re-application for approval of the financial assurance mechanism, and all training programs completed.

J. Self Inspections

The Permittees shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges which may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health. These general inspections shall be completed no less than quarterly and shall cover the following areas: waste placement and cover; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and

records. A record of the inspections shall be placed in the daily operating record on the day of the inspection. Areas needing correction, as noted on the inspection report, shall be corrected and the actions taken placed in the daily operating record.

IV. CLOSURE REQUIREMENTS

A. Closure

The Permittees shall close and maintain the facility in accordance with the closure and post-closure plans included in the permit application and as required by R315-305-5(5) UAC.

B. Title Recording

The Permittees shall also meet the requirements of UAC R315-302-2(6) by recording with the Grand County Recorder as part of the record of title that the property has been used as a landfill.

C. Post-Closure Care

Post-closure care at the closed landfill shall be done in accordance with the Post-Closure Care Plan contained in the permit application. Post-closure care shall continue until all waste disposal sites at the landfill have stabilized and the finding of UAC R315-302-3(7)(c) is made.

D. Financial Assurance

An annual revision of closure costs and financial assurance funding shall be submitted to the Executive Secretary as part of the annual report. The Permittees shall submit the local government financial test and guarantee information as required in UAC R315-309-3(7) and (8) in the annual report required in section III - I of this permit.

V. ADMINISTRATIVE REQUIREMENTS

A. Transfers

This permit may be transferred to a new Permittee by meeting the requirements of the Permit Transfer provision in UAC R315-310-10.

B. Permit Modifications

Modifications to this permit may be made upon application by the Permittees or by the Executive Secretary. The Permittees will be given written notice of any permit modification initiated by the Executive Secretary.

C. Expiration

Application for permit renewal shall be made at least six months prior to the expiration date, as shown on the signature (cover) page of this permit. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this permit will continue in force until renewal is completed or denied.

D. Expansion

1. This permit is for the operation of a Class IVb Landfill according to the design and Operation Plan described and explained in the permit application. Any expansion of the current footprint designated in the description contained in the permit application, but within the property boundaries designated in the permit application, will require submittal of plans and specifications to the Executive Secretary. The plans and specifications must be approved by the Executive Secretary prior to construction.
2. Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the permit application will require submittal of a new permit application in accordance with the requirements of UAC R315-310.
3. Any expansion of the waste accepted at the landfill facility will require submittal of all necessary information to the Executive Secretary and the approval of the Executive Secretary. Acceptance of any waste type not allowed by UAC R315-305-1 will require a new permit application and meeting the requirements of UAC R315-310-3(2).