

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

CHESTER CLASS II 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,

Sanpete Sanitary Landfill Cooperative as owner
and
Larry Hansen as operator

are hereby authorized to construct final cover, conduct closure and post-closure care activities at the Sanpete Sanitary Landfill Cooperative Chester Class II landfill located in Northwest 1/4 section of Section 11, Township 16 south, Range 3 east, Salt Lake Base and Meridian, Sanpete County, Utah as shown in the closure permit application that was determined complete on June 28, 2005.

The construction of the final cover and performance of post-closure care of the landfill are subject to the condition that Sanpete Sanitary Landfill Cooperative and Larry Hansen (Permittees) meet the requirements set forth herein.

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

This permit shall become effective August 11, 2005

This permit shall expire at midnight August 10, 2005

Signed this 11th day of August, 2005.

Original Document signed by Dennis R. Downs on 8/11/05

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

PERMIT REQUIREMENTS

LANDFILL NAME: Chester Class II Landfill

OWNER NAME: Sanpete Sanitary Landfill Cooperative

OWNER ADDRESS: 111 North 100 West
P.O. Box 7
Mayfield, Utah 84643

OWNER PHONE NO.: (435) 528-3255

OPERATOR NAME: Larry Hansen

OPERATOR ADDRESS: RR #1, Box 82
Fairview, Utah 84629

OPERATOR PHONE NO.: (435) 427-3815

TYPE OF PERMIT: Class II Closed Solid Waste Landfill

PERMIT NUMBER: 0305C

LOCATION: Landfill site is located in Township 16 south, Range 3 east,
Section 11, SLBM Sanpete County, Lat. 39° 26' 44", Long. 111°
32' 49".

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

The closure application, as deemed complete on June 29, 2005 is hereby incorporated by reference into this Solid Waste Permit and will be referred to as the permit application throughout this permit. All representations made in the permit application are part of this permit and are enforceable under UAC 315-301-5(2). The permit application will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the permit application, the wording of the permit supercedes that of the permit application.

The facility as described in this permit consists of one closed landfill cell approximately 12 acres in size as described in the closure permit application.

By this permit to own and operate, the Permittees are subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittees shall perform closure and post-closure care in accordance with all applicable requirements of UAC R315-302 and 303, for a Class II landfill, that are in effect as of the date of this permit unless otherwise noted in this permit. Any permit noncompliance or noncompliance with any applicable rules in UAC R315-301 through 320 constitutes a violation of the permit or applicable rule and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. Inspections 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 Central Utah Public 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 this Permit or UAC R315-301 through 320;
3. Create a record of any inspection by photographic, videotape, electronic, or any other reasonable means.

C. Noncompliance

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 by phone 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.

In an enforcement action, the Permittees may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with UAC R315-301 through 320 and this permit.

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 required for facility closure and post-closure.

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.

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.

D. 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 on the part of the Permittees for completion of closure and post-closure care for the facility required in UAC R315-302-3.

E. Attachment Incorporation

Attachments to the permit application are incorporated by reference into this permit and 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. Design and Construction

The Permittees shall construct any landfill run-on and runoff diversion system or final cover in accordance with the design submitted as part of the permit application and in accordance with the Utah Solid Waste Permitting and Management Rules (UAC R315-301 thru 320).

Prior to construction of any landfill run-on and runoff diversion system or final cover, the Permittees shall submit construction design drawings and a Construction Quality Control and Construction Quality Assurance (CQC/CQA) Plan to the Executive Secretary for approval. Buildings do not require approval. The Permittees shall construct any landfill run-on and run-off diversion system or the final cover in accordance with the design drawings and CQC/CQA Plans submitted and approved by the Executive Secretary. No less than fifteen (15) days prior to construction, the permittees shall submit the a construction schedule through completion of the project

Subsequent to construction, the Permittees shall notify the Executive Secretary of completion of construction of the run-on or run-off diversion system or final cover. No less than 60 days from completion of construction, the construction CQC/CQA documents and construction related documents including as-builts must be submitted to the Executive Secretary for review and approved by the Executive Secretary. The Permittees shall submit as-built drawings for each construction event that are signed and sealed by an engineer registered in the State of Utah.

A qualified independent third party shall perform the quality assurance function on cover components and other testing as required by the approved CQC/CQA Plan. The results must be submitted as part of the as-built drawings to the Executive Secretary.

All engineering drawings submitted to the Executive Secretary must be stamped and approved by a professional engineer with a current registration in Utah.

B. Run-On Control

Drainage channels and diversions shall be constructed as specified in the permit application and maintained at all times to effectively prevent run-on from the surrounding area from entering the landfill.

C. Alternative Final Cover Design

This facility has demonstrated through geologic, hydrogeologic, climatic, and other factors that the proposed alternative final cover will provide equivalent protection as the "standard cover" and is approved for the alternative/equivalent design as outlined in the permit application. The basis for approval of the alternative final cover design is in the "Statement of Basis" found in Appendix A of this permit.

III. CLOSURE REQUIREMENTS

A. Closure

Final cover of the landfill shall be as shown in the permit application. A quality assurance / quality control plan for construction of the final landfill cover shall be submitted to, and approval of the plan must be received from the Executive Secretary prior to construction of any part of the final cover at the landfill. A qualified third party shall perform permeability testing on the recompacted clay placed as part of the final cover.

B. Title Recording

The Permittees shall also meet the requirements of UAC R315-302-2(6) by recording with the Sanpete 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 disposed at the site has stabilized and a demonstration to the Executive Secretary as defined in UAC R315-302-3(7)(c) is made.

D. Financial Assurance

The Permittees shall keep in effect and active the currently approved financial assurance mechanism or another mechanism that meets the requirements of UAC R315-309 to cover the costs of closure and post-closure care at the landfill. The financial assurance fund shall be adequately funded to provide for the cost of closure and post-closure.

With each annual revision of the closure and post-closure care cost estimate, the annual payments to be made to the trust fund shall be determined by the following formula:

$$NP=[CE-CV]/Y$$

where NP is the next payment, CE is the current cost estimate for closure and post-closure care (updated for inflation or other changes), CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

E. Financial Assurance Annual Update

An annual revision of closure and post-closure costs and financial assurance funding as, required by R315-309-2(2), shall be submitted to the Executive Secretary as part of the annual report.

IV. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

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.

B. Permit Transfer

This permit may be transferred to a new permittee or new permittees by meeting the requirements of the permit transfer provisions of UAC R315-310-10.

C. Expiration

This permit shall expire ten years from the effective date which is the date shown on the signature (first) page of this permit. Application for permit renewal shall be made at least 180 days prior to the expiration 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.

APPENDIX A

Statement of Basis for Approval of the Alternative Final Cover Design at the Closed Chester Class II Landfill

The Sanpete Sanitary Landfill Cooperative has submitted an evapotranspiration (ET) final cover for the closed Chester Class II landfill. This alternative ET design incorporates the use of 36-inch thick silty clay loam soil as the final cover.

Landfill closures are designed and constructed to minimize the release of constituents into the environment. This incorporates a design, which minimizes the amount of moisture that can move through the final cover and enter into the waste. Accordingly, the *Utah Solid Waste Permitting and Management Rules, R315-303-3(4)* states that the standard cover design shall consist of:

a layer to minimize infiltration, consisting of at least 18 inches of compacted soil, or equivalent, with a permeability of 1×10^{-5} cm/sec or less, or equivalent, shall be placed upon the final lifts. and;

The Executive Secretary may approve an alternative final cover design, on a site specific basis, if it can be demonstrated that the alternative final cover design provides equivalent reduction in infiltration as specified as the standard design.

The *Chester Class II Landfill Closure Permit Application* includes computer simulations using the Hydrologic Evaluation of Landfill Performance (HELP) Model to demonstrate the alternative final cover design provides a greater reduction in infiltration than the standard cover design. The HELP model was used to simulate the performance of the alternative final cover to the standard cover during a five year wet cycle modeled with the five wettest years on record; a five year dry cycle modeled with the five year driest years on record, and during normal precipitation model with a sixty year period of average precipitation. Under each of the three modeled scenarios the alternative final cover significantly reduce the amount of infiltration through the final cover as compared to the standard cover.

In conclusion, the Executive Secretary finds that the demonstration included in the Chester Class II Landfill Closure Permit Application which shows the alternative final cover design will result in reduce infiltration as compared to the standard design. The alternative final cover is approved as part of the landfill permit # 0305C.