



State of Utah

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March 3, 2015

Ross Stevens
Holden Town Councilman
P. O. Box 360127
Holden, UT 84636

RE: DRAFT Permit
Holden Town Class IVb Landfill

Dear: Mr. Stevens:

Enclosed for your review is the Draft Class IVb Permit for the Holden Town Landfill. Please review the draft permit and notify our office by March 16, 2015 if you have questions, comments or need clarification regarding any permit condition.

Prior to final issuance of the Permit, the Division is required to conduct a 30-day public comment period. The Division will begin that comment period on March 24, 2015 unless there are comments regarding the draft permit that need resolution. During the comment period, a copy of draft permit will be made available for public review at the Division offices, at the Public Library located in Fillmore, and on the Division's web page. Following the 30-day public comment period and response to any comments, final action will be taken on the Permit.

If you have any questions, please call Matt Sullivan at (801) 536-0241.

Sincerely,

Scott T. Anderson, Director
Division of Solid and Hazardous Waste

(Over)

STA/MBS/kl

Enclosure: Holden Town Landfill Class IVb Solid Waste Permit (DSHW-2015-002962)
Attachment 1, Land Map and Plat Description (DSHW-2015-002961)

c: Bruce Costa, PhD., Health Officer, Central Utah Public Health Dept.
Nathan Selin, Env. Health Director, Central Utah Public Health Dept.
John Chartier, P.E., DEQ District Engineer
James W. Stephenson, Holden Town Mayor
Tamara Dallin, Holden Town Clerk

**UTAH DIVISION OF SOLID AND HAZARDOUS WASTE
CLASS IVb SOLID WASTE PERMIT**

**Holden Town
CLASS IVb LANDFILL**

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Part 1, Utah Code Annotated (Utah Code Ann.) (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code R315-301 through 320 adopted thereunder, a Permit is issued to

Holden Town Corporation as owner and operator

to own and operate the Holden Town Landfill located in Section 35, Township 19 South, Range 4 West, Salt Lake Base and Meridian, Millard County, Utah as shown in the Permit Application that was determined complete on insert date signed and *DSHW-2015-003553*.

The Permittee is subject to the requirements of R315-301 through 320 of the Utah Administrative Code and the requirements set forth herein.

All references to R315-301 through 320 of the Utah Administrative Code are to regulations that are in effect on the date that this Permit becomes effective.

This Permit shall become effective _____.

This Permit shall expire at midnight _____.

Closure Cost Revision Date: _____.

Signed this _____ day of _____, 2015.

Scott T. Anderson, Director
Division of Solid and Hazardous Waste

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: Holden Town Landfill

OWNER NAME: Holden Town Corporation

OWNER ADDRESS: P.O. Box 360127
Holden, Utah 84636

OWNER PHONE NO.: (435) 795-2213

OPERATOR NAME: same as above

OPERATOR ADDRESS: same as above

OPERATOR PHONE NO.: same as above

TYPE OF PERMIT: Class IVb Landfill

PERMIT NUMBER: 1401

LOCATION: Landfill site is located in Township 19 South, Range 4 West, Section 35, SE1/4; Millard County, Latitude N 39° 07' 08", Longitude West 112° 16 min 23 sec"

PERMIT HISTORY: Permit signed insert date signed

The term "Permit" as used in this document is defined in R315-301-2(55) of the Utah Administrative Code. "Director" as used throughout this Permit refers to the Director of the Division of Solid and Hazardous Waste.

Attachments to this Permit are hereby incorporated into this Permit. All representations made in the attachments of this Permit are enforceable under R315-301-5(2) of the Utah Administrative Code. Where differences in wording exist between this Permit and the attachments, the wording of this Permit supersedes that of the attachments.

This Permit consists of the signature page, Facility Owner/Operator Information section, Sections I through V and attachments.

The facility as described in this Permit consists of a Class IVb waste disposal cell.

Compliance with this Permit does not constitute a defense to actions brought under any other local, state or federal laws. This Permit does not exempt the Permittee from obtaining any other local, state or federal permits or approvals required for operation of the landfill.

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 other than those inherent in this Permit. This Permit does not authorize any injury to private property or any invasion of personal rights, or 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 is 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.

By this Permit, the Permittee is subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittee shall operate the landfill in accordance with all applicable requirements of R315-305 of the Utah Administrative Code 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 portions of Utah Code Ann § 19-6-101 through 125 and applicable portions of R315-301 through 320 of the Utah Administrative Code constitutes a violation of the Permit or applicable statute or rule and is grounds for appropriate enforcement action, permit revocation, modification or denial of a permit renewal application.

B. Acceptable Waste

1. Construction/demolition waste as defined in R315-301-2(17) of the Utah Administrative Code;
2. Yard waste as defined in R315-301-2(87) of the Utah Administrative Code;
3. Inert waste as defined in R315-301-2(37) of the Utah Administrative Code;
4. Petroleum contaminated soils as allowed in R315-315-8(3) of the Utah Administrative Code; and
5. Dead animals as defined in R315-315-6 of the Utah Administrative Code.

C. Prohibited Waste

1. Hazardous waste as defined by R315-1 and R315-2 of the Utah Administrative Code;
2. PCBs as defined by R315-301-2(53) of the Utah Administrative Code, except PCBs specified by R315-315-7(2)(a) and (c) of the Utah Administrative Code;
3. Household waste, except waste resulting from the abatement, rehabilitation, renovation and remodeling of homes and other residences;
4. Municipal waste;
5. Special waste except as specified in this Permit;
6. Regulated asbestos-containing material;
7. Industrial waste as defined in R315-301-2(35) of the Utah Administrative Code;
8. Commercial waste as defined in R315-301-2(14) of the Utah Administrative Code; and
9. Containers larger than household size (five gallons) holding any liquid, non-containerized material containing free liquids or any waste containing free liquids in containers larger than five gallons.

Any prohibited waste accepted for disposal at the facility shall constitute a violation of this Permit, of 19-6-101 through 123 and of R315-301 through 320 of the Utah Administrative Code.

D. Inspections and Inspection Access

The Permittee shall allow the Director or his authorized representative or 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 R315-301 through 320 of the Utah Administrative Code;
2. Have access to and copy any records required to be kept under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;

3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit or regulated under R315-301 through 320 of the Utah Administrative Code; and
4. Create a record of any inspection by photographic, video, electronic, or any other reasonable means.

E. Noncompliance

If monitoring, inspection or testing indicates that any permit condition or any applicable rule under R315-301 through 320 of the Utah Administrative Code may be or is being violated, the Permittee 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 noncompliance with any permit condition or violation of an applicable rule, the Permittee shall promptly take any 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 Permittee shall

1. Document the noncompliance or violation in the daily operating record, including the day the event occurred or the day it was discovered;
2. Notify the Director by telephone within 24 hours, or the next business day following documentation of the event; and
3. Provide a written notice of the noncompliance or violation and description of measures taken to protect human health and the environment within seven days after notification of the Director.

Within thirty days after the documentation of the event, the Permittee shall submit to the Director a written report describing the nature and extent of the noncompliance or violation and a complete description of all remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. After review of the assessment report, the Director may order the Permittee to perform additional remedial measures including development of a site remediation plan for approval by the Director.

In an enforcement action, the Permittee may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain