

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

**Karl Lund
West Side Landfill**

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Part 1, 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,

Karl Lund as owner
and
post-closure care provider

are hereby approved to construct final cover, conduct closure, and conduct post-closure care activities at the West Side landfill located in Township 17 south, Range 2 East, Salt Lake Base and Meridian, Sanpete County, Utah as shown in the closure permit application that was determined complete on .

Karl Lund as owner and post-closure care provider (Permittee) shall meet the requirements of UAC R315-301 through 320 and the requirements set forth herein for construction of the final cover and performance of post-closure care at the West Side Class IVb Landfill.

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: February 24, 2011

Post-Closure Cost Revision Date: February 24, 2016

This permit shall expire upon the Permittee meeting condition IV-C of this permit

Signed this 24th day of February, 2011.

Original Signed by Scott T. Anderson on 2/24/11

Scott T. Anderson, Executive Secretary
Utah Solid and Hazardous Waste Control Board

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: West Side Class IVb Closed Solid Waste Landfill

OWNER NAME: Karl Lund

OWNER ADDRESS: 53 S. 180 W.
Ephraim, Utah 84627

TYPE OF PERMIT: Class IVb Closed Solid Waste Landfill

PERMIT NUMBER: 1006C

LOCATION: Landfill site is located in Township 17 south, Range 2 East, SLMB, Sanpete County. The landfill is located approximately 4 miles west of the town of Ephraim, Utah.

PERMIT REQUIREMENTS

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

The closure/post-closure plan, as deemed complete on December 29, 2010 is hereby incorporated by reference into this Solid Waste Permit and will be referred to as the closure/post-closure plan throughout this permit. All representations made in the closure/post-closure plan are part of this permit and are enforceable under UAC 315-301-5(2). The closure/post-closure plan will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the closure/post-closure plan, the wording of the permit supercedes that of the closure/post-closure plan.

By this permit to own and conduct post-closure activities, the Permittee are subject to the following conditions.

The Executive Secretary may reduce or discontinue one or more of the post-closure care monitoring requirements. In this case the post-closure care permit will be modified. A modification of this type is considered a major modification and will require public comment.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittee shall perform closure and post-closure care in accordance with all applicable requirements of UAC R315-302 and 303, for a Class IVb 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 portions of UCA 19-6-101 through 123 and applicable portions of UAC R315-301 through 320 constitutes a violation of the permit or applicable statute or rule and is grounds for appropriate enforcement action and permit modification.

B. Inspections and Inspection Access

The Permittee shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board or an authorized representative of the Board, 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 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. Inspect any treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under the Permit or regulated under UAC R315-301 through 320; and
4. 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 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 any noncompliance with any permit condition or violation of an applicable rule, the Permittee 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, or placing of warning signs. The Permittee 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 Permittee 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 Permittee to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.

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 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 Permittee 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 other than those inherent in this permit. Nor does this permit 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 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.

D. Revocation

This permit is subject to revocation if any condition of this permit is not being met. The Permittee 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 will necessitate that the Executive Secretary exercise the option to require the funds or other mechanism provided for financial assurance for completion of closure and post-closure care for the facility required in UAC R315-302-3 be called.

E. Attachment Incorporation

Attachments to the closure/post-closure plan 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.

F. Waste Restriction

This permit is for the conduct of closure and post-closure care activities at the West Side Class IVb Landfill. As such, no additional waste may be disposed at this site. Any waste disposal at this site will constitute a violation of this permit and UAC R315-301-4.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

The Permittee shall construct any landfill run-on and run off 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 Permittee 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 Permittee 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 permittee shall submit the a construction schedule through completion of the project

Subsequent to construction, the Permittee shall notify the Executive Secretary of completion of construction of the run-on or run-off diversion system or final cover. No less than 90 days from completion of construction (R315-302-3(4)(c)), the construction CQC/CQA documents and construction related documents including as-builts must be submitted to the Executive Secretary for review and

approval. The Permittee 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 party independent of the Permittee 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 closure/post-closure plan and maintained at all times to effectively prevent run-on from the surrounding area from entering the landfill.

III. POST-CLOSURE REQUIREMENTS

A. Title Recording

The Permittee shall 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. The record shall show the dates between which the facility received waste and the type of waste received.

B. Post-Closure Care

Post-closure care at the closed landfill shall be done in accordance with the post-closure care plan. 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)(b) is made and the Executive Secretary has found that the landfill meets the requirements of UAC R315-302-3(7)(c).

C. Cover Maintenance

The cover thickness specified in the closure/post-closure plan shall be maintained throughout the life of the post-closure care period. Any reduction of 3 inches or 10%, whichever is less, must be repaired and returned to the thickness specified in the closure/post-closure plan. No activity may be conducted on the cover that would cause harm to the any of the cover components. Activities that the Permittee intend to conduct on the final cover must be outlined in the closure/post-closure plan. Any activity that the Permittee intend to conduct on the cover and that are not in the closure/post-closure plan must be added to the plan

and the modified plan submitted to the Executive Secretary for approval. Approval of the modified plan must be received prior to commencement of the new activity.

D. Financial Assurance

The Permittee 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 post-closure care at the landfill. The financial assurance fund shall be adequately funded to provide for the cost of post-closure care.

E. Financial Assurance Annual Update

An annual revision of 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.

F. Monitoring

All monitoring and maintenance activities including, cover inspection, maintenance, and site inspections shall be conducted as required in the post-closure care plan.

IV. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this permit may be made upon application by the Permittee or by the Executive Secretary. The Permittee will be given written notice of any permit modification initiated by the Executive Secretary. This permit shall be modified whenever the monitoring and maintenance requirements of the post-closure care plan are reduced or changed.

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 R315-310-11.

C. Expiration

This permit shall expire upon approval by the Executive Secretary of a demonstration as required in R315-302-3(7).

D. Reporting

The Permittee 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, owner/operator and contact information as required, an annual update of the financial assurance mechanism and all training programs completed.

E. Closure Cost and Post-Closure Cost Revision

The Permittee shall submit a complete revision of the post-closure cost estimates by the date listed on the signature page of this permit and each five year increment until the demonstration required by R315-302-3(7) has been made.

V. REQUIREMENTS FOR DEMONSTRATION OF STABILITY

A. Settlement

Inspection and maintenance records or periodic settlement measurements must demonstrate that the waste decomposition and associated settlement has not occurred during the period between inspections. This performance criterion must be met for a minimum of five consecutive years prior to a request to terminate post-closure care.

B. Vegetation

The vegetative cover should be well established and comparable to adjacent, undisturbed areas with respect to the percentage of ground cover.

These performance criteria should be met by the end of the post-closure period and be based on conditions during the late spring or early summer (June or July).

C. Cover System

Inspection and maintenance records must demonstrate that the final cover system has not required maintenance or repairs to correct problems such as standing water or erosion. This performance criterion must be met for a minimum of five consecutive years prior to a request to terminate post-closure care.

D. Surface Water System

Inspection and maintenance records must demonstrate that the surface water diversion system has not required maintenance or repairs to correct problems such as standing water or erosion. This performance criterion must be met for a minimum of five consecutive years.

If control structures are required to prevent erosion of the final cover the site cannot be considered for suspension of this portion of post-closure care.

When all other areas of the landfill have stabilized the Executive Secretary may reduce the post-closure care program to cover only the maintenance of the drainage control system or any other system requiring ongoing maintenance.

E. Other Issues

The post-closure documentation must demonstrate that there are no features or aspects of the facility that could pose a threat to human health or the environment if post-closure care is terminated.