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Executive Secretary

May 30, 2012

Sheryl L. Dekker, Operations Manager
Millard County Solid Waste Division
71 South 200 West
P.O. Box 854
Delta, Utah 84624

RE: Renewal of Millard County Class I Landfill Permit
Millard County

Dear Ms. Dekker:

Enclosed is the permit to continue to operate the Millard County Class I Landfill located approximately six miles southeast of Delta off U.S. Highway 50 in Millard County, Utah. The permit expires on the date shown on the cover sheet. If renewal of this permit is desired, you must submit an application for renewal 180 days prior to the permit expiration date.

The public comment period on both the permit application and draft permit began February 29, 2012 and ended on March 29, 2011. No comments were received.

Periodic inspections of the landfill will be conducted by representatives of the Division of Solid and Hazardous Waste and the Central Utah Public Health Department to assess compliance with the conditions of the permit and the applicable portions of the Solid Waste Rules.

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

Sincerely,

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

DSHW-2012-003353

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Enclosure

c: Bruce Costa, PhD., Acting Environmental Health Director, Central Utah Health Dept.
John Chartier, P.E., District Engineer

UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD
SOLID WASTE PERMIT RENEWAL

Millard County
CLASS I 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, a Permit is issued to

Millard County as owner and operator
(Permittee)

to own and operate the Millard County Class I Landfill located in southeast 1/4 section of Section 24, Township 17 South, Range 6 West, Salt Lake Base and Meridian, Millard County, Utah as shown in the Permit Renewal Application that was determined complete on May 22, 2012 Division Tracking number 201200329.

The Permittee is subject to the requirements of UAC R315-301 through 320 and 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 June 1, 2012.

This Permit shall expire at midnight May 31, 2022.

Closure Cost Revision Date: June 1, 2017.

Signed this 30th day of May, 2012.

Scott T. Anderson, Executive Secretary
Director

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME:	Millard County Landfill
OWNER NAME:	Millard County
OWNER ADDRESS:	71 South 200 West, P.O. Box 854, Delta, Utah 84624
OWNER PHONE NO.:	(435) 864-1400
OPERATOR NAME:	Same as above
OPERATOR ADDRESS:	Same as above
OPERATOR PHONE NO.:	Same as above
TYPE OF PERMIT:	Class I Landfill
PERMIT NUMBER:	9431R3
LOCATION:	Landfill site is located in Township 17 South, Range 6 West, Section 24, SLMB, Millard County, Latitude 39° 19' 14", Longitude 112° 28' 17".
DIRECTIONS TO FACILTY:	The landfill is six miles southeast of Delta off U.S. Highway 50.

PERMIT REQUIREMENTS

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

The permit renewal application titled, *Application for Renewal of Permit to Operate A Class I Municipal Solid Waste Facility at the Millard County Landfill* as deemed complete on the date shown on the signature page of this Permit, is hereby incorporated by reference into this Solid Waste Permit and shall 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 R315-301-5(2). The Permit Application shall become part of the operating record of the Landfill. Where differences in wording exist between this Permit and the Permit Application, the wording of this Permit supersedes that of the application.

This Permit consists of the signature page, Facility Owner/Operator Information section, sections I through V, Appendix A (Statement of Basis: *Application for a Waiver from Ground Water Monitoring and Liner Requirements at the Millard County Landfill.*
The facility as described in this Permit consists of a maintenance building, disposal cells for all permitted waste and dead animals, and an area for storage of recyclable materials.

By this Permit to own and operate, 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 UAC R315-302 and 303, for a Class I 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, permit revocation, modification, or denial of a permit renewal application.

B. Acceptable Waste

This Permit is for the disposal of non-hazardous solid waste that may include:

1. Municipal solid waste;
2. Commercial waste;
3. Industrial waste;
4. Construction/demolition waste;
5. Special waste as allowed by UAC R315-315 and authorized in section III-I of this Permit and limited by this section; and
6. Conditionally exempt small quantity generator hazardous waste as specified in UAC R315-303-4(7)(a)(i)(B).
7. The Permittee is authorized to receive for disposal regulated asbestos-containing material in compliance with UAC R315-315-2.

C. Prohibited Waste

1. Hazardous waste as defined by UAC R315-1 and R315-2;

2. 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; and

3. PCB's as defined by UAC R315-301-2, except as allowed in Section IB (Acceptable Waste) of this Permit.

Any prohibited waste received and accepted for treatment, storage, or disposal at the facility shall constitute a violation of this Permit, of UCA 19-6-101 through 123 and of UAC R315-301 through 320.

D. 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 loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this 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.

E. 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, placing of warning signs, or permanently closing areas of the facility.

The Permittee shall document the noncompliance or violation in the operating record, on the day the event occurred or the day it was discovered. Permittee shall notify the Executive Secretary of the Solid and Hazardous Waste Control Board by telephone within 24 hours, or the next business day following documentation of the event. Permittee shall give written notice of the noncompliance or violation and measures taken to protect human 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 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 the facility operation.

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.

F. Revocation

This Permit is subject to revocation if any condition of this Permit is not being met. The Permittee shall be notified in writing prior to any proposed revocation action

and such action shall be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

As part of the revocation the Executive Secretary shall exercise the option to require payment of funds under the financial assurance mechanism held by the Executive Secretary.

G. 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 supersedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

The Permittee shall construct any landfill cell, sub-cell, run-on diversion system, runoff containment system, waste treatment facility, 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).

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 runoff from the surrounding area from entering the landfill.

C. Alternative Design

This facility has demonstrated through geologic, hydrogeologic, climatic, waste stream, and other factors that the landfill will not contaminate ground water and is approved for the alternative design as outlined in the Permit Application. Any contamination of ground water resulting from operation of the landfill may result in the revocation of this alternative design approval. The basis for approval of the alternative design is found in the "Statement of Basis" found in Appendix A of this Permit.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the Permit Application shall be kept onsite at the landfill or at the location designated in section III-K of this Permit. The landfill shall be operated in accordance with the operations plan. 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, is as protective of human health and the environment as that approved in the Permit Application, and is approved by the Executive Secretary as a minor modification under UAC R315-311-2(1)(a)(xiii). Any modification to the Operations Plan shall be noted in the operating record.

Any modification to the Operations Plan shall be submitted to the Executive Secretary for approval and is considered a minor permit modification in compliance with UAC R315-311-2(1)(a)(xiii) unless the Executive Secretary determines the change should be subject to public comment under UAC R315-311-2(1)(b).

B. Security

The Permittee shall operate the Landfill so that unauthorized entry to the facility is restricted. All facility gates and other access routes shall be locked during the time the landfill is closed. At least one person employed by the Permittee shall be at the landfill during all hours that the landfill is open. Fencing and any other access controls as shown in the Permit Application shall be constructed to prevent access of persons or livestock by other routes.

C. Training

Permittee shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-4(2)(b). All accidental fires shall be extinguished as soon as reasonably possible.

E. Daily Cover

The solid waste received at the landfill shall be completely covered at the end of each working day with a minimum of six inches of earthen material. At the end of each day of operation the amount of cover placed shall be recorded in the operating record and certified by the operator.

An alternative daily cover material may be used when the material and operation meets the requirements of UAC R315-303-4(4)(b) through (d) or when the alternative daily cover meets the requirement of UAC R315-303-4(4)(e).

F. Ground Water Monitoring

The Permittee shall monitor the ground water underlying the landfill in accordance with the Ground Water Monitoring Plan and the Ground Water Monitoring Quality Assurance/Quality Control Plan contained in the Permit Application. If necessary, the facility owner may modify the Ground Water Monitoring Plan and the Ground Water Monitoring Quality Assurance/Quality Control 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 Application, and is approved by the Executive Secretary as a minor modification under UAC R315-311-2(1)(a). Any modification to the Ground Water Monitoring Plan and the Ground Water Monitoring Quality Assurance/Quality Control Plan shall be noted in the operating record. Plan changes that are found by the Executive Secretary to be less protective of human health or the environment than the approved plan are a major modification and are subject to the requirements of UAC R315-311.

For reasons outlined in Attachment A "Statement of Basis," attached to this Permit, the ground water monitoring requirement for Millard County Landfill has been waived in accordance with R315-308-1(3). Any contamination of ground water resulting from operation of the landfill shall result in the revocation of this waiver.

G. Gas Monitoring

The Permittee shall monitor explosive gases at the landfill in accordance with the Gas Monitoring Plan contained in the Permit Application and shall otherwise meet the requirements of UAC R315-303-3(5). If necessary, the Permittee/s may modify the Gas Monitoring 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 Application, and is approved by the Executive Secretary as a minor modification under UAC R315-311-2(1). Any modification to the Gas Monitoring Plan shall be noted in the operating record.

If the concentrations of explosive gases at any of the facility structures, at the property boundary, or beyond the property boundary ever exceed the standards set in UAC R315-303-2(2)(a), the Permittee shall immediately take all necessary steps to ensure protection of human health and notify the Executive Secretary. Within seven days of detection, place in the operating record the explosive gas levels detected and a description of the immediate steps taken to protect human health. Implement a remediation plan that meets the requirements of UAC R315-303-3(5)(b) and shall submit the plan to, and receive approval from, the Executive Secretary prior to implementation.

H. Waste Inspections

The Permittee 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 incoming loads, but no less than one complete inspection per day. Loads to be inspected shall be selected on a random basis.

All loads suspected or known to have one or more containers capable of holding more than five gallons of liquid shall be inspected to ensure that each container is empty.

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

Complete random 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 in Appendix D of the Permit Application. The form shall be placed in the operating record at the end of the operating day.

I. Disposal of Special Wastes

If a load of incinerator ash is accepted for disposal it shall be transported in such a manner to prevent leakage or the release of fugitive dust. The ash shall be completely covered with a minimum of six inches of material, or use other methods or material, if necessary, to control fugitive dust. Ash may be used for daily cover when its use does not create a human health or environmental hazard.

Animal carcasses may be disposed in the landfill working face and shall be covered with other solid waste or earth by the end of the operating day in which they are received. Alternatively, animal carcasses may be disposed in a special trench or pit prepared for the acceptance of dead animals. If a special trench is used, animals

placed in the trench shall be covered with six inches of earth by the end of each operating day.

Asbestos waste shall be handled and disposed in accordance with UAC-315-315-2.

J. Self Inspections

The Permittee shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health or the environment. These general inspections shall be completed no less than quarterly and shall cover the following areas: Waste placement, compaction, cover; cell liner; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and records (and drainage control measures as stated in 2.6 *Monitoring and Self Inspections* of your Permit Application). 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 in a timely manner. The corrective actions shall be documented in the daily operating record.

K. Recordkeeping

The Permittee shall maintain and keep on file at the maintenance facility shop at the landfill, a daily operating record and other general records of landfill operation as required by UAC R315-302-2(3). The landfill operator, or other designated personnel, shall date and sign the daily 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.

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 Permittee, 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 this 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 Central Utah Public Health Department, when forwarded to the Permittee;

   c. Closure and Post-closure care plans;

   d. Records of employee training; and

   e. Results of landfill gas monitoring.

L. 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, the annual quantity of waste received, an annual update of the financial assurance mechanism, the results of gas monitoring, and all training programs completed.

M. Roads

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

N. Litter Control

The landfill owner or operator shall minimize litter resulting from operations of the landfill. In addition to the litter control plans found in *2.13 Additional Operational Procedures* of the Permit Application, the owner and operator shall implement the following procedures when high wind conditions are present.

   a. Reduce the size of the tipping face;

   b. Reduce the number of vehicles allowed to discharge at the tipping face at one time;

   c. Orient vehicles to reduce wind effects on unloading and waste compaction;

   d. Reconfigure tipping face to reduce wind effect;

   e. Use portable and permanent wind fencing as needed; and

f. Should high winds present a situation that windblown litter cannot be controlled, the owner and operator shall cease operations of the landfill until the winds diminish.

IV. CLOSURE REQUIREMENTS

A. Closure

Final cover of the landfill shall be as shown in the Permit Application. The final cover shall meet, at a minimum, the standard design for closure as specified in the UAC (R315-303-3(4)) plus sufficient cover soil or equivalent material to protect the low permeability layer from the effects of frost, desiccation, and root penetration. A quality assurance plan for construction of the final landfill cover shall be submitted to the Executive Secretary, and approval of the plan shall be received from the Executive Secretary prior to construction of any part of the final cover at the landfill. A qualified person not affiliated with the landfill owner shall perform permeability testing on the recompacted clay placed as part of the final cover.

B. Title Recording

The Permittee shall meet the requirements of UAC R315-302-2(6) by recording a notice with the Millard County Recorder as part of the record of title that the property has been used as a landfill. The notice shall include waste disposal locations and types of waste disposed.

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

The Permittee shall keep in effect and active the currently approved financial assurance mechanism or another approved 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 mechanism(s) shall be adequately maintained to provide for the cost of closure and post-closure care at any stage or phase or anytime during the life of the landfill or the permit life, whichever is shorter.

If a trust fund is used add the following.
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.

Or if any other financial assurance mechanism is used, use the following
With each annual revision of the closure and post-closure care cost estimate, the approved financial assurance mechanism shall be updated to reflect the current cost estimates.

E. Financial Assurance Annual Update

An annual revision of closure and post-closure costs for inflation 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. Closure Cost and Post-Closure Cost Revision

The Permittee shall submit a complete revision of the closure and post-closure cost estimates by the "Closure Cost Revision Date" listed on the signature page of this Permit any time the facility is expanded, any time a new cell is constructed, or any time a cell is expanded.

V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this Permit may be made upon application by the Permittee or by the Executive Secretary. The Permittee shall 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 specified in UAC R315-310-11.

C. Expansion

This Permit is for a Class I Landfill. The permitted landfill shall operate 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, shall require submittal of plans and specifications to the Executive Secretary. The plans and specifications shall be approved by the Executive Secretary prior to construction.

Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the Permit Application shall require submittal of a new permit application in accordance with the requirements of UAC R315-310.

Any addition to the acceptable wastes described in Section 1B shall require submittal of all necessary information to the Executive Secretary and the approval of the Executive Secretary. Acceptance for PCB bulk product waste under UAC R315-315-7(3)(b) can only be done after submittal of the required information to the Executive Secretary and modification of Section IC of this Permit.

D. 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 shall continue in force until renewal is completed or denied.

File: - Millard County Class I Landfill Permit #9431R3

Attachment A
Statement of Basis

***Application for a Waiver from Ground Water Monitoring and Liner Requirements at the Millard County Landfill* (Vector, 1994)**

The Utah Division of Solid and Hazardous Waste concurs with this waiver as referenced in the permit application under Appendix E as: *Application for a Waiver from Ground Water Monitoring and Liner Requirements at the Millard County Landfill*.