

RECEIVED

OCT 23 2007

UTAH DIVISION OF  
SOLID & HAZARDOUS WASTE

07.03087



## Utah Division of Solid and Hazardous Waste Solid Waste Management Program

Mailing Address  
P.O. Box 144880  
Salt Lake City, Utah 84114-4880

Office Location  
288 North 1460 West  
Salt Lake City, Utah 84116

Phone (801) 538-6170  
Fax (801) 538-6715  
www.deq.utah.gov

### APPLICATION FOR A PERMIT TO OPERATE A CLASS IV OR VI LANDFILL

Please read the instructions that are found in the document, INSTRUCTIONS FOR APPLICATION FOR A PERMIT TO OPERATE A CLASS IV or VI LANDFILL. This application form shall be used for all Class IV or VI solid waste disposal facility permits and modifications. Part I, GENERAL INFORMATION, must accompany a permit application. Part II, APPLICATION CHECKLIST, is provided to assist applicants and, if included with the application, will assist review. **Please note** the version date of this form found on the lower right of the page; if you have received this form more than six months after this date it is recommended you contact our office at (801) 538-6170 to determine if this form is still current. When completed, please return this form and support documents, forms, drawings, and maps to:

Dennis R. Downs, Director  
Division of Solid and Hazardous Waste  
Utah Department of Environmental Quality  
PO Box 144880  
Salt Lake City, Utah 84114-4880

(Note: When the application is determined to be complete, submittal of two copies of the complete application will be required.)

**RECEIVED**

07-03087  
OCT 23 2007

Utah Class IV and VI Landfill Permit Application Form

UTAH DIVISION OF  
SOLID & HAZARDOUS WASTE

|   |  |   |         |   |  |  |                         |   |                       |  |  |
|---|--|---|---------|---|--|--|-------------------------|---|-----------------------|--|--|
| <b>Part I General Information</b>   |  |   |         |   |  | APPLICANT: PLEASE COMPLETE ALL SECTIONS. |                         |   |                       |  |  |
| <b>I. Landfill Type</b>   |  | <input type="checkbox"/> Class IVa<br><input type="checkbox"/> Class VI |         | <input checked="" type="checkbox"/> Class IVb |  | <b>II. Application Type</b>              |                         | <input type="checkbox"/> New Application<br><input checked="" type="checkbox"/> Renewal Application |                       | <input type="checkbox"/> Facility Expansion<br><input type="checkbox"/> Modification |  |
| For Renewal Applications, Facility Expansion Applications and Modifications Enter Current Permit Number <u>9614</u> |  |   |         |   |  |  |                         |   |                       |  |  |
| <b>III. Facility Name and Location</b>  |  |   |         |   |  |  |                         |   |                       |  |  |
| Legal Name of Facility<br><b>Niels Fugal Sons Company Land Recovery</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| Site Address (street or directions to site)<br><b>4465 W 8800 N</b>   |  |   |         |   |  |  |                         |   | County<br><b>Utah</b> |  |  |
| City <b>American Fork</b>   |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>84003</b>                    |                         | Telephone   |                       |  |  |
| Township <b>5</b>   |  | Range <b>2</b>  |         | Section(s) <b>18</b>                          |  |  | Quarter/Quarter Section |   |                       | Quarter Section  |  |
| Main Gate Latitude  |  |   | degrees |   |  | minutes                                  |                         |   | seconds               |  |  |
| Longitude   |  |   | degrees |   |  | minutes                                  |                         |   | seconds               |  |  |
| <b>IV. Facility Owner(s) Information</b>  |  |   |         |   |  |  |                         |   |                       |  |  |
| Legal Name of Facility Owner<br><b>Niels Fugal Sons Company ( Fugal Company)</b>                                    |  |   |         |   |  |  |                         |   |                       |  |  |
| Address (mailing)<br><b>1005 South Main</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| City <b>Pleasant Grove</b>  |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>84062</b>                    |                         | Telephone <b>(801) 785-3152</b>   |                       |  |  |
| <b>V. Facility Operator(s) Information</b>  |  |   |         |   |  |  |                         |   |                       |  |  |
| Legal Name of Facility Operator<br><b>Dan and Guy Fugal</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| Address (mailing)<br><b>1005 South Main</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| City <b>Pleasant Grove</b>  |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>Utah</b>                     |                         | Telephone <b>(801) 785-3152</b>   |                       |  |  |
| <b>VI. Property Owner(s) Information</b>  |  |   |         |   |  |  |                         |   |                       |  |  |
| Legal Name of Property Owner<br><b>Niels Fugal Sons Company ( Fugal Company)</b>                                    |  |   |         |   |  |  |                         |   |                       |  |  |
| Address (mailing)<br><b>1005 South Main</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| City <b>Pleasant Grove</b>  |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>84062</b>                    |                         | Telephone <b>(801) 785-3152</b>   |                       |  |  |
| <b>VII. Contact Information</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| Owner Contact <b>Guy Fugal</b>  |  |   |         |   |  | Title <b>Owner / Operator</b>            |                         |   |                       |  |  |
| Address (mailing)<br><b>1005 South Main</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| City <b>Pleasant Grove</b>  |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>84062</b>                    |                         | Telephone <b>(801) 785-3152</b>   |                       |  |  |
| Email Address <b>guyf@fugal.com</b>   |  |   |         |   |  | Alternative Telephone (cell or other)    |                         |   |                       |  |  |
| Operator Contact <b>Guy Fugal</b>   |  |   |         |   |  | Title <b>Owner / Operator</b>            |                         |   |                       |  |  |
| Address (mailing)<br><b>1005 South Main</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| City <b>Pleasant Grove</b>  |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>84062</b>                    |                         | Telephone <b>(801) 785-3152</b>   |                       |  |  |
| Email Address <b>guyf@fugal.com</b>   |  |   |         |   |  | Alternative Telephone (cell or other)    |                         |   |                       |  |  |
| Property Owner Contact <b>Guy Fugal</b>   |  |   |         |   |  | Title <b>Owner / Operator</b>            |                         |   |                       |  |  |
| Address (mailing)<br><b>1005 South Main</b>   |  |   |         |   |  |  |                         |   |                       |  |  |
| City <b>Pleasant Grove</b>  |  |   |         | State <b>Utah</b>                             |  | Zip Code <b>84062</b>                    |                         | Telephone <b>(801) 785-3152</b>   |                       |  |  |
| Email Address <b>guyf@fugal.com</b>   |  |   |         |   |  | Alternative Telephone (cell or other)    |                         |   |                       |  |  |

## Utah Class IV and VI Landfill Permit Application Form

| <b>Part I General Information (Continued)</b>   |  |  |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
|---|--|--|---|--|--|--|--|--|---|---|--------------------------|--------------------------|----------------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------------------|--------------------------|--------------------------|--|--|
| <p><b>VIII. Waste Types</b> (check all that apply)</p> <p><input type="checkbox"/> Landfill will accept all wastes allowed in Class IV or VI landfills Or landfill will accept only the following wastes</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Waste Type</th> <th style="text-align: center; border-bottom: 1px solid black;">Combined Disposal Unit</th> <th style="text-align: center; border-bottom: 1px solid black;">Monofill Unit</th> </tr> <tr> <td><input checked="" type="checkbox"/> Construction &amp; Demolition</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> Tires</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><input checked="" type="checkbox"/> Yard Waste</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> Animals</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> Contaminated Soil</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/> Other _____</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p><small>Note: Disposal of dead animals must be approved by the Executive Secretary</small></p> | Waste Type   | Combined Disposal Unit   | Monofill Unit   | <input checked="" type="checkbox"/> Construction & Demolition  | <input type="checkbox"/>   | <input type="checkbox"/>                     | <input type="checkbox"/> Tires                     | <input type="checkbox"/>                           | <input type="checkbox"/>                                | <input checked="" type="checkbox"/> Yard Waste  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Animals | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Contaminated Soil | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <p><b>IX. Facility Area</b></p> <p>Facility Area <b>1.38</b> _____ acres</p> <p>Disposal Area <b>60,155 sq feet</b> _____ acres</p> <p>Design Capacity</p> <p style="padding-left: 40px;">Years <b>5</b> _____</p> <p style="padding-left: 40px;">Cubic Yards <b>100,258</b> _____</p> <p style="padding-left: 40px;">Tons _____</p> |  |
| Waste Type  | Combined Disposal Unit   | Monofill Unit  |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input checked="" type="checkbox"/> Construction & Demolition   | <input type="checkbox"/>                                       | <input type="checkbox"/>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input type="checkbox"/> Tires  | <input type="checkbox"/>                                       | <input type="checkbox"/>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input checked="" type="checkbox"/> Yard Waste  | <input type="checkbox"/>                                       | <input type="checkbox"/>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input type="checkbox"/> Animals  | <input type="checkbox"/>                                       | <input type="checkbox"/>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input type="checkbox"/> Contaminated Soil  | <input type="checkbox"/>                                       | <input type="checkbox"/>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input type="checkbox"/> Other _____  | <input type="checkbox"/>                                       | <input type="checkbox"/>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <b>X. Fee and Application Documents</b>   |  |  |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <p>Indicate Documents Attached To This Application</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td><input checked="" type="checkbox"/> Facility Map or Maps</td> <td><input checked="" type="checkbox"/> Facility Legal Description</td> <td><input checked="" type="checkbox"/> Plan of Operation</td> <td><input checked="" type="checkbox"/> Waste Description</td> <td rowspan="2" style="vertical-align: top; padding-left: 20px;">                 Class VI Special Requirements<br/> <input type="checkbox"/> Documents required by UCA 19-6-108(9) and (10)             </td> </tr> <tr> <td><input type="checkbox"/> Ground Water Report</td> <td><input checked="" type="checkbox"/> Closure Design</td> <td><input checked="" type="checkbox"/> Cost Estimates</td> <td><input checked="" type="checkbox"/> Financial Assurance</td> </tr> </table>   | <input checked="" type="checkbox"/> Facility Map or Maps       | <input checked="" type="checkbox"/> Facility Legal Description | <input checked="" type="checkbox"/> Plan of Operation   | <input checked="" type="checkbox"/> Waste Description  | Class VI Special Requirements<br><input type="checkbox"/> Documents required by UCA 19-6-108(9) and (10) | <input type="checkbox"/> Ground Water Report | <input checked="" type="checkbox"/> Closure Design | <input checked="" type="checkbox"/> Cost Estimates | <input checked="" type="checkbox"/> Financial Assurance | <p style="text-align: right;"><input checked="" type="checkbox"/> Application Fee: Amount \$ 100.00</p> |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input checked="" type="checkbox"/> Facility Map or Maps  | <input checked="" type="checkbox"/> Facility Legal Description | <input checked="" type="checkbox"/> Plan of Operation          | <input checked="" type="checkbox"/> Waste Description   | Class VI Special Requirements<br><input type="checkbox"/> Documents required by UCA 19-6-108(9) and (10) |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <input type="checkbox"/> Ground Water Report  | <input checked="" type="checkbox"/> Closure Design             | <input checked="" type="checkbox"/> Cost Estimates             | <input checked="" type="checkbox"/> Financial Assurance |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <b>I HEREBY CERTIFY THAT THIS INFORMATION AND ALL ATTACHED PAGES ARE CORRECT AND COMPLETE.</b>  |  |  |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <p>Signature of Authorized Owner Representative</p> <p style="margin-left: 40px;"> <b>Travis Carpenter</b></p> <p style="font-size: small; margin-left: 40px;"> <small>Digitally signed by Travis Carpenter, DN: cn=Travis Carpenter, o=Utah State Office, ou=Utah State Office, email=Travis.Carpenter@utah.gov, c=US</small> </p> <p style="margin-left: 40px;"><b>Travis Carpenter</b></p> <p>Name typed or printed</p>  | <p>Title</p> <p style="margin-left: 20px;"><b>Manager</b></p>  | <p>Date</p> <p style="margin-left: 20px;"><b>6/21/2007</b></p> |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <p>Signature of Authorized Land Owner Representative (if applicable)</p> <p>_____</p> <p>Name typed or printed</p>  | <p>Title</p> <p>_____</p>                                      | <p>Date</p> <p>_____</p>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |
| <p>Signature of Authorized Operator Representative (if applicable)</p> <p>_____</p> <p>Name typed or printed</p>  | <p>Title</p> <p>_____</p>                                      | <p>Date</p> <p>_____</p>                                       |   |  |  |  |  |  |   |   |                          |                          |                                  |                          |                          |  |                          |                          |                                      |                          |                          |  |  |

## Utah Class IV and VI Landfill Permit Application Checklist

**Important Note:** The following checklist is for the permit application and addresses only the requirements of the Division of Solid and Hazardous Waste. Other federal, state, or local agencies may have requirements that the facility must meet. The applicant is responsible to be informed of, and meet, any applicable requirements. Examples of these requirements may include obtaining a conditional use permit, a business license, or a storm water permit. The applicant is reminded that obtaining a permit under the *Solid Waste Permitting and Management Rules* does not exempt the facility from these other requirements.

An application for a permit to construct and operate a landfill is the documentation that the landfill will be located, designed, constructed, and operated to meet the requirements of Rules R315-305 of the *Utah Solid Waste Permitting and Management Rules* and the *Utah Solid and Hazardous Waste Act* (UCA 19-6-101 through 123). The application should be written to be understandable by regulatory agencies, landfill operators, and the general public. The application should also be written so that the landfill operator, after reading it, will be able to operate the landfill according to the requirements with a minimum of additional training.

Copies of the *Solid Waste Permitting and Management Rules*, the *Utah Solid and Hazardous Waste Act*, along with many other useful guidance documents can be obtained by contacting the Division of Solid and Hazardous Waste at 801-538-6170. Most of these documents are available on the Division's web page at [www.hazardouswaste.utah.gov](http://www.hazardouswaste.utah.gov). Guidance documents can be found at the solid waste section portion of the web page.

When the application is determined to be complete, the original complete application and one copy of the complete application are required along with an electronic copy.

### Part II Application Checklist

| <b>I. Facility General Information</b>   |                      |
|--|----------------------|
| Description of Item  | Location in Document |
| Completed Part I General information   | 4                    |
| General description of the facility (R315-310-3(1)(b))   | 5                    |
| Legal description of property (R315-310-3(1)(c))   | 5                    |
| Proof of ownership, lease agreement, or other mechanism (R315-310-3(1)(c))   | 5                    |
| If the permit application is for a Class IV landfill, a demonstration that the landfill is not a commercial facility                                     | 5                    |
| Waste type and anticipated daily volume (R315-310-3(1)(d))   | 5                    |
| Intended schedule of construction (R315-302-2(2)(a))   | 6                    |
| Name and address of all property owners within 1000 feet of the facility boundary (R315-310-3(2)(i))   |                      |
| Documentation that a notice of intent to apply for a permit has been sent to all property owners listed above (R315-310-3(2)(ii))                        |                      |
| Name of the local government with jurisdiction over the facility site (R315-310-3(2)(iii))   | 5                    |
| <b>For Class IVa Landfills A Demonstration That The Facility Meets The Location Standards (R315-304-4(1)(a))</b>   |                      |
| Land use compatibility   | Attachment 1         |
| Maps showing the existing land use, topography, residences, parks, monuments, recreation areas or wilderness areas within 1000 feet of the site boundary | Attachment 2         |

## Utah Class IV and VI Landfill Permit Application Checklist

| <b>I. Facility General Information</b>   |                      |
|--|----------------------|
| Description of Item  | Location In Document |
| Certifications that no ecologically or scientifically significant areas or endangered species are present in site area   |                      |
| Maps showing the location of dwellings, residential areas, other structures, and historic structures.  | Attachment 2         |
| List of airports within five miles of facility and distance to each  |                      |
| <b>Geology</b>   |                      |
| Geologic maps showing significant geologic features, faults, and unstable areas  |                      |
| Maps showing site soils  |                      |
| <b>Surface water</b>   |                      |
| Magnitude of 24 hour 25 year and 100 year storm events   |                      |
| Average annual rainfall  |                      |
| Maximum elevation of flood waters proximate to the facility  |                      |
| Maximum elevation of flood water from 100 year flood for waters proximate to the facility  |                      |
| <b>Wetlands</b>  |                      |
| <b>Ground water</b>  |                      |
| <b>For Class IVb and VI Landfills A Demonstration That The Facility Meets The Following Location Standards</b>   |                      |
| Floodplains as specified in R315-302-1(2)(c)(ii) (R315-305-4(1)(a)(i))   |                      |
| Wetlands as specified in R35-302-1(2)(d) (R315-305-4(1)(a)(ii))  |                      |
| The landfill is located so that the lowest level of waste is at least five feet above the historical high level of ground water (R315-305-4(1)(a)(iii))  |                      |
| <b>For Class IVb and VI Landfills That Accept Dead Animals A Demonstration That The Facility Meets The Following Location Standards</b>  |                      |
| Maps showing the existing land use, topography, residences, parks, monuments, recreation areas or wilderness areas within 1000 feet of the site boundary   |                      |
| Certifications that no ecologically or scientifically significant areas or endangered species are present in site area   |                      |
| Maps showing the location of dwellings, residential areas, other structures, and historic structures.  |                      |
| List of airports within five miles of facility and distance to each  |                      |
| <b>Plan of Operations - Applies to All Class IV and VI (R315-310-3(1)(e) and R315-302-2(2))</b>  |                      |
| Description of on-site waste handling procedures and an example of the form that will be used to record the weights or volumes of waste received (R315-302-2(2)(b) And R315-310-3(1)(f))                           | 6 / Attachment 3     |
| Schedule for conducting inspections and monitoring, and examples of the forms that will be used to record the results of the inspections and monitoring (R315-302-2(2)(c), R315-302-2(5)(a), and R315-310-3(1)(g)) | Attachment 3         |

## Utah Class IV and VI Landfill Permit Application Checklist

| <b>I. Facility General Information</b>  |                      |
|---|----------------------|
| Description of Item   | Location In Document |
| Contingency plans in the event of a fire or explosion (R315-302-2(2)(d))  | 6                    |
| Corrective action programs to be initiated if ground water is contaminated (R315-302-2(2)(e))                                   |                      |
| Plan to control fugitive dust generated from roads, construction, general operations, and covering the waste (R315-302-2(2)(g)) | 11                   |
| Plan for letter control and collection (R315-302-2(2)(h))   |                      |
| Procedures for excluding the receipt of prohibited hazardous or PCB containing waste (R315-302-2(2)(j))                         | 6 / 7                |
| Procedures for controlling disease vectors (R315-302-2(2)(k))   |                      |
| A plan for alternative waste handling (R315-302-2(2)(l))  |                      |
| A general training and safety plan for site operations (R315-302-2(2)(o))   |                      |
| Any recycling programs planned at the facility (R315-303-4(6))  |                      |
| Any other site specific information pertaining to the plan of operation required by the Executive Secretary (R315-302-2(2)(o))  |                      |

| <b>II Facility Technical Information</b>   |                      |
|--|----------------------|
| Description of Item  | Location In Document |
| <b>Maps – Applies to All Class IV and VI Landfills</b>   |                      |
| Topographic map drawn to the required scale with contours showing the boundaries of the landfill unit, ground water monitoring well locations, gas monitoring points, and the borrow and fill areas (R315-310-4(2)(a)(i))  | Attachment 2         |
| Most recent U.S. Geological Survey topographic map, 7-1/2 minute series, showing the waste facility boundary; the property boundary; surface drainage channels; any existing utilities and structures within one-fourth mile of the site; and the direction of the prevailing winds (R315-310-4(2)(a)(ii)) |                      |
| <b>Geohydrological Assessment - Class IVa Landfills Only (R315-310-4(2)(b))</b>  |                      |
| Local and regional geology and hydrology including faults, unstable slopes and subsidence areas on site (R315-310-4(2)(b)(i))  |                      |
| Evaluation of bedrock and soil types and properties including permeability rates (R315-310-4(2)(b)(ii))  |                      |
| Depth to ground water (R315-310-4(2)(b)(iii))  |                      |
| Quantity, location, and construction of any private or public wells on-site or within 2,000 feet of the facility boundary (R315-310-4(2)(b)(v))  |                      |
| Tabulation of all water rights for ground water and surface water on-site and within 2,000 feet of the facility boundary (R315-310-4(2)(b)(vi))  |                      |

## Utah Class IV and VI Landfill Permit Application Checklist

| <b>// Facility Technical Information</b>  |                      |
|---|----------------------|
| Description of Item   | Location In Document |
| Identification and description of all surface waters on-site and within one mile of the facility boundary (R315-310-4(2)(b)(vii))   |                      |
| For an existing facility, identification of impacts upon the ground water and surface water from leachate discharges (R315-310-4(2)(b)(viii))   |                      |
| Calculation of site water balance (R315-310-4(2)(b)(ix))  |                      |
| <b>ENGINEERING REPORT - PLANS, SPECIFICATIONS, AND CALCULATIONS - CLASS IV and VI LANDFILLS</b>   |                      |
| <b>Reports Required for All Class IV and VI Landfills</b>   |                      |
| Unit design to include liner design, if liner is to be used; cover design; fill methods; and elevation of final cover including plans and drawings signed and sealed by a professional engineer registered in the State of Utah, when required (R315-310-3(1)(b) and R315-310-4(2)(c)(iii)) |                      |
| Design and location of run-on and run-off control systems (R315-310-4(2)(c)(viii))  |                      |
| Anticipated facility life and the basis for calculating the facility's life (R315-310-4(2)(c)(ii))  | 6                    |
| <b>Reports Required for Class IVa Landfills</b>   |                      |
| Engineering reports required to meet the location standards of R315-305-4 including documentation of any demonstration or exemption made for any location standard (R315-310-4(2)(c)(i))  |                      |
| Identification of borrow sources for final cover (R315-310-4(2)(c)(iv))   |                      |
| Run-off or leachate collection, treatment, and disposal and documentation to show that any treatment system is being or has been reviewed by the Division of Water Quality (R315-310-4(2)(c)(v) and R315-310-3(1)(i))   |                      |
| <b>CLOSURE PLAN (R315-310-3(1)(h))</b>  |                      |
| Closure schedule (R315-310-4(2)(d)(i))  | 10                   |
| Design of final cover (R315-310-4(2)(c)(iii))   | 8                    |
| Capacity of site in volume and tonnage (R315-310-4(2)(d)(ii))   | 8                    |
| Final inspection by regulatory agencies (R315-310-4(2)(d)(iii))   | 9                    |
| <b>POST-CLOSURE CARE PLAN (R315-310-3(1)(h))</b>  |                      |
| Changes to record of title, land use, and zoning restrictions (R315-310-4(2)(e)(ii))  | 9                    |
| Maintenance activities to maintain cover and run-on/run-off control systems (R315-310-4(2)(e)(iii))   |                      |
| List the name, address, and telephone number of the person or office to contact about the facility during the post-closure care period (R315-310-4(2)(e)(vi))   |                      |
| <b>FINANCIAL ASSURANCE (R315-310-3(1)(j))</b>   |                      |
| Identification of closure costs including cost calculations (R315-310-4(2)(d)(iv))  |                      |
| Identification of post-closure care costs including cost calculations (R315-310-4(2)(e)(iv))  | 10                   |

## Utah Class IV and VI Landfill Permit Application Checklist

| <b>// Facility Technical Information</b>   |                      |
|--|----------------------|
| Description of Item  | Location In Document |
| Identification of the financial assurance mechanism that meets the requirements of Rule R315-309 and the date that the mechanism will become effective (R315-309-1(1)) | Attachment 4         |

N:\ALL\SWS-Form\Permit Application forms\Class IV & VI application and checklist.doc

# PERMIT APPLICATION

*NIELS FUGAL SONS COMPANY LAND RECOVERY  
CLASS IV LANDFILL*

*NIELS FUGAL SONS COMPANY 1005 S MAIN STREET  
Post Office Box 650 Pleasant Grove, Utah 84062*

*Dated October 2007*

**TABLE OF CONTENTS**

**PART I - GENERAL DATA ..... 3**

**PART II - GENERAL REPORT ..... 5**

1. GENERAL DESCRIPTION ..... 5

2. LEGAL DESCRIPTION ..... 5

3. PLAN OF OPERATION ..... 6

    A. SCHEDULE OF CONSTRUCTION ..... 6

    B. SOLID WASTE HANDLING PROCEDURES ..... 6

    C. CONTINGENCY PLAN IN THE EVENT OF FIRE ..... 6

    D. PROCEDURE FOR EXCLUDING PROHIBITED WASTE AND PCBs..... 6

    E. VECTOR CONTROL PROGRAM ..... 7

    F. SAFETY PROGRAM ..... 7

4. INSPECTIONS AND RECORD KEEPING ..... 8

    A. INSPECTION ..... 8

    B. RECORD LOCATION ..... 8

5. CLOSURE PLAN ..... 8

    A. FINAL COVER ..... 8

    B. CAPACITY ..... 8

    C. PROJECTED LIFE SPAN ..... 8

    D. FINAL INSPECTION ..... 9

    E. RECORD OF TITLE, LAND USE, AND ZONING RESTRICTIONS ..... 9

6. COST ESTIMATES AND FINANCIAL ASSURANCE ..... 10

    A. CLOSURE COSTS ..... 10

    B. POST-CLOSURE COSTS ..... 10

    C. FINANCIAL ASSURANCE MECHANISM ..... 10

**PART III - TECHNICAL DATA ..... 11**

1. DESCRIPTION OF SITE VICINITY ..... 11

2. ENGINEERING CONSIDERATIONS ..... 11

    A. GENERAL REQUIREMENTS ..... 11

    B. FUGITIVE DUST CONTROL ..... 11

    C. CLOSURE REQUIREMENTS ..... 11

**PART IV - ATTACHMENTS ..... 12**

**APPLICATION FOR A PERMIT TO OPERATE**

**A CLASS IV LANDFILL**

***PART 1 - GENERAL DATA***



## **PART II- GENERAL REPORT**

### **1. GENERAL DESCRIPTION**

The following is a general description of the facility, including the types of materials to be received and handled, and the area served by the facility.

Niels Fugal Sons Company, known as the Niels Fugal Sons Company Land Recovery, is located at 4465 West 8800 North in Utah County.

The site consists of 1.38 acres of unusable land. (See pictures, Attachment 1)

This property was used as a gravel pit in the early 1940's and has sat vacant for at least 40 years. The filling of this pit will reclaim it to its original surface contour matching it with the adjacent property.

**Waste Type and anticipated daily volume:** The types of materials accepted at this facility include 70% rock and dirt, 20% cement, 9% asphalt and 1 % yard waste. This is a private dump for Niels Fugal Sons Company only. All materials dumped at this site will be from jobs that Niels Fugal Sons Company has done. Daily volume is anticipated to be around 40 cubic yards.

This property has an 80 foot drop off and the object is to fill it in with materials to eventually make it a usable lot.

### **2. LEGAL DESCRIPTION**

#### **Street Address**

4465 West 8800 North American Fork, Utah

#### **Legal Description of Landfill**

Commencing 37 feet South and 405 feet West of the Northeast Comer of the Northwest Quarter of Section 18, Township 5 South, Range 2 East of the Salt Lake Base and Meridian; Thence South 227 feet, thence west 265 feet, thence north 227 feet, thence east 265 feet to the place of beginning. Area 1.38 Acres

### **3. PLAN OF OPERATION**

#### **A. SCHEDULE OF CONSTRUCTION**

The project was started in 1995 and the completion is scheduled for 2012.

#### **B. SOLID WASTE HANDLING PROCEDURES**

The facility gates will be locked at all times and only Fugal Company authorized employees will be issued keys for access.

The fence is a chain link fence 6 feet in height with barbed wire on top and three (3) steel gates with pad locks.

The following is a description of on-site solid waste handling procedures.

1. Only authorized personnel will enter the property. A description of the vehicle and its load are recorded in the Weekly Log, including the vehicle's license number, a description of the material, and the weights or volumes (see Attachment 2 for Weekly Log).
2. The first three (3) to five (5) feet of material that is dumped at the lower back level of the property will consist of only dirt, rock and cement. No asphalt will be dumped at the lower back until the first three (3) to five (5) feet of waste has been dumped. This will prevent any contact from asphalt at the original ground level.

#### **C. CONTINGENCY PLANS IN THE EVENT OF FIRE**

Based on the projected fill of 70% rock and dirt, 20% of cement, 9% of asphalt and less than 1 % of yard waste, there is little or no potential for fire. When yard waste is dumped, a load of dirt will also be dumped on top of it.

#### **D. PROCEDURE FOR EXCLUDING PROHIBITED WASTE AND PCBs**

##### **Waste Screening Procedure**

At the construction site the waste will be examined and separated. Rock, dirt and cement will be dumped the first three (3) to five (5) feet at the lower back portion of the landfill and then after that asphalt and yard waste will also be dumped.

### **Prohibited Waste**

Since this landfill will be for Fugal Company waste only, every load will be examined to guarantee that prohibited waste will not be dumped. If nonhazardous prohibited waste is detected under our normal inspection process, Fugal Company will be responsible for removing it and disposing of it properly.

The final disposition of all prohibited wastes will be noted in the Log Book.

### **E. VECTOR CONTROL PROGRAM**

With the types of waste Fugal Company will be dumping, there should be no problem with vector control, however, during our inspections, if any rodents should be detected, Fugal Company will call a professional exterminator and make the necessary arrangements for moving the offending material. There is no food source at the dump site or in the materials being dumped there.

### **F. SAFETY PROGRAM**

If there are any combustible materials, they will be covered immediately after they are dumped to prevent any fire danger. The gravel road that goes to the lower portion of the property can be used as a fire break or for any emergency vehicles.

#### **4. INSPECTIONS AND RECORD KEEPING**

##### **A. INSPECTION**

There will be a weekly inspection and this will be recorded weekly on the Inspection Form. (See Attachment 3)

##### **B. RECORD LOCATION**

The Inspection Forms will be kept at Fugal Company at 1001 S. Main, Pleasant Grove.

#### **5. CLOSURE PLAN**

##### **A. FINAL COVER**

Installation of the final cover, seeding, landscaping, and contouring will proceed once the area 'is deemed full, or after a decision is made to close the landfill. The procedure will be as follows:

- a. Grading of all material will conform to the natural elevations, contour and lay of the adjoining land.
- b. Topsoil shall be spread over the natural graded soil materials at a depth of 6 inches.
- c. Final grading of the top soil will occur following the natural contour of the land. This final vegetative layer will be seeded with a mix of native grasses.

##### **B. CAPACITY**

The area of the site in acreage and volume is as follows:

- a. The site consists of 1.38 acres of land or 60,155 sq. feet.
- b. The site has an average depth of 45 feet starting out at 80 feet deep declining to the south to 1 foot in depth.

The estimated volume of this fill is 100,258 cubic yards.

##### **C. PROJECTED LIFE SPAN**

It is scheduled that this project will be completed in five (5) years.

**D. FINAL INSPECTION**

The final inspection will be done by Dan Fugal, Guy Fugal, the Safety Director, Utah County Health Department and State of Utah Department of Environmental Quality.

**E. RECORD OF TITLE, LAND USE, AND ZONING RESTRICTIONS**

The current Zoning of the property remains unchanged from its original "rural" designation. This property was used as a gravel pit in the 1940's and has sat vacant for at least the past forty years. The filling of this pit will reclaim it to its original surface and land contours and provide a much improved site and a useable property in the future.

A description of the landfill history and filled area will be permanently appended to the record of title. Land use restrictions will be assigned that conform to existing regulations for closed landfills at the time of closure.

## 6. COST ESTIMATES AND FINANCIAL ASSURANCE

### A. CLOSURE COSTS

The cost estimates for closure are based on a third party having to perform the closure as well as a third party performing the monitoring of the site for the described post-closure care period if Niels Fugal Sons Co. is unable to perform such closure or monitoring. Estimates for the Third Party Closure and Post-Closure monitoring were obtained from PLC & Sons Construction, in American Fork, Utah.

The total surface of the 1.38 acres (60,155 sq.ft.) will be brought to grade with a minimum of 18" of clean soil. The fill will then be final graded with a minimum of 6 inches of topsoil. Approximately 3340 cu. yds of clean soil and 1113 cu. yds. of topsoil material will be needed to cover the area. Estimates, from the 3<sup>rd</sup> party, for placing clean soil, final cover & re-seeding are based on what is normal and acceptable in the construction industry.

#### Closure and Post Closure Cost Detail

|  |                  |         |                 |
|--|------------------|---------|-----------------|
| \$ 5.50 per cu yard to provide and haul in clean soil at land fill site                              |                  |         |                 |
|  | 3340 cubic yards | @ 5.50  | 18,370.00       |
| \$ 12.50 per cu yard haul in topsoil at land fill site   |                  |         |                 |
|  | 1113 cubic yards | @ 13.00 | 14,469.00       |
| \$.75 per cu yard to move and final grade material   |                  |         |                 |
|  | 4453 cubic yards | @.75    | 3,340.00        |
| \$350.00 per acre for re-seeding. Price includes see and planting                                    |                  |         |                 |
|  | 1.38 acres       | @350.00 | 483.00          |
| Up to 30 years monitoring site and providing documentation<br>of inspections during this time period |                  |         | <u>3,338.00</u> |

2007/2012 "Third Party" Closure & Post Closure Costs \$ 40,000.00

It is anticipated that minimal care requirements will be necessary at this site. The land will not require irrigation or any maintenance. Anticipated requirements will be semiannual inspections of the property, documentation of such inspections and observing and maintaining, if necessary, the cover integrity.

### B. FINANCIAL ASSURANCE MECHANISM

A "Solid Waste Permitting and Management Closure and Post-Closure Care Bond" has been provided by the Bonding Agency, Grant-Hatch & Associates of Salt Lake City, Utah. The bond # 929127584 dated February 8,2000, will cover the "Third Party" Closure & Post Closure Costs if Niels Fugal Sons Company is unable to provide closure as described for in the closure requirements and post-closure care period.

## **PART III - TECHNICAL DATA**

### **1. DESCRIPTION OF SITE VICINITY**

See Attachment 4

### **2. ENGINEERING CONSIDERATIONS**

#### **A. GENERAL REQUIREMENTS**

Not applicable

#### **B. FUGITIVE DUST CONTROL**

Fugal Company plans to water down the facility if dust becomes a problem.

#### **C. CLOSURE REQUIREMENTS**

Not applicable

**PART IV-ATTACHMENTS**

**ATTACHMENT 1**







**ATTACHMENT 2**

CLOSURE DESIGN

Asphalt Street

700 North Street

Established maximum slope  
on adjacent property

82% to 84%

Top of Landfill Slope  
 $\geq 2\%$

75%  $\pm$  2%

Westside Slope

South Facing Slope

33%  $\pm$  5%

33%  $\pm$  5%

Property Line

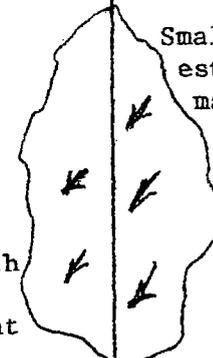
Property Line



Small area of adjacent  
established property  
maximum slope  
65% to 75%

Small Area of Landfill South  
Slope will have increased  
slope to blend with adjacent  
property

75%  $\pm$  5%





**ATTACHMENT 3**



Niels Fugal Sons Company  
Land Recovery  
Inspection Form

Performed By \_\_\_\_\_ Date \_\_\_\_\_

| 1. Site and Roads             | <u>Overall Condition</u> |            |
|-------------------------------|--------------------------|------------|
|                               | Satisfactory             | Needs Work |
| A. Fences                     | _____                    | _____      |
| B. Gates                      | _____                    | _____      |
| C. Locks                      | _____                    | _____      |
| D. Road Leading into facility | _____                    | _____      |
| E. Lower Road                 | _____                    | _____      |

Specify recommended repairs/or list action taken \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Operations

|                |       |       |
|----------------|-------|-------|
| A. Excavations | _____ | _____ |
| B. Daily Cover | _____ | _____ |

Specify Recommended Repairs/or list actions taken \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Niels Fugal Sons Company  
Land Recovery  
Random Load Inspection Record

**Inspection Information**

Inspectors Name \_\_\_\_\_

Date of Inspection \_\_\_\_\_

Time of Inspection \_\_\_\_\_

**Vehicle/Driver**

Driver Name \_\_\_\_\_

Vehicle # \_\_\_\_\_

Observations and Actions Taken \_\_\_\_\_

---

---

---

---

---

---

Inspectors Signature \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT 4**

**Solid Waste Permitting and Management  
Closure and Post-Closure Care Bond  
Utah Administrative Code R315-309-3(4)**

Bond Amount \$ 40,000.00 Bond No. 929127584

**KNOWN BY THESE PRESENTS:**

That we, Niels Fugal Sons Company (Principal)

of the County of Utah State of Utah

as principal and American Casualty Company of Reading, PA (Surety)

as a corporation, duly organized and doing business under and by virtue of the laws of the State of Pennsylvania and authorized to do business in the State of Utah, and duly licensed for the purpose of making, guaranteeing, and becoming sole surety upon bonds required or authorized by the laws of the State of Utah, as surety, and held and firmly bound unto the State of Utah, Solid and Hazardous Waste Control Board, 288 North 1460 West, Salt Lake City, Utah 84114-4880, to perform closure and post-closure activities as required in permit # \_\_\_\_\_ to a maximum sum of \$40,000.00, lawful money of the United States of America we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The Condition of the foregoing obligation is such that,

WHEREAS, the above named Principal has made application to the State of Utah, Solid and Hazardous Waste Control Board for the issuance of a permit to operate a Class IV Landfill under the authority of the State of Utah Solid and Hazardous Waste Act, and

WHEREAS, the Utah Solid and Hazardous Waste Control Board, with authority, has enacted rules, Utah Administrative Code (UAC) R315-301 through 320, regulating the operation of landfills,

WHEREAS, under the terms of said rules a cash or corporate surety bond in the sum of \_\_\_\_\_ is required of said Principal and a responsible surety as financial assurance for closure and post-closure care costs of said landfill. Said bond is conditioned upon the faithful and proper compliance with all of the terms, conditions, provisions, requirements, and specifications of landfill closure and post-closure care contained in said landfill permit, UAC R315-302-2, and UAC R315-\_\_\_\_\_, not to exceed the bond penalty amount hereof,

Now, therefore, if the above bound principal shall fully comply with the above stated provisions for closure and post-closure care of said Class IV Landfill, then this obligation shall be null and void, otherwise to remain in full force and effect.

# POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That CONTINENTAL CASUALTY COMPANY, an Illinois corporation, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, a Connecticut corporation, AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA, a Pennsylvania corporation (herein collectively called "the CCC Surety Companies"), are duly organized and existing corporations having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signature and seals herein affixed hereby make, constitute and appoint

Norman D. Squires, Richard G. Taylor, Mary B. Cristaudo, Roger B. Ricks, Melissa Malin, Individually

of Salt Lake City, Utah

their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their corporations and all the acts of said Attorney, pursuant to the authority hereby given are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Laws and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the corporations.

In Witness Whereof, the CCC Surety Companies have caused these presents to be signed by their Group Vice President and their corporate seals to be hereto affixed on this 23rd day of July, 1999.



CONTINENTAL CASUALTY COMPANY  
NATIONAL FIRE INSURANCE COMPANY OF HARTFORD  
AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

*Marvin J. Cashion*

Marvin J. Cashion

Group Vice President

State of Illinois, County of Cook, ss:

On this 23rd day of July, 1999, before me personally came

Marvin J. Cashion, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Chicago, State of Illinois; that he is a Group Vice President of CONTINENTAL CASUALTY COMPANY, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, and AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA described in and which executed the above instrument; that he knows the seals of said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said corporations and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.



*Diane Faulkner*

My Commission Expires September 17, 2001

Diane Faulkner

Notary Public

## CERTIFICATE

I, Mary A. Ribikawskis, Assistant Secretary of CONTINENTAL CASUALTY COMPANY, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, and AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of each corporation printed on the reverse hereof are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seals of the said corporations this 27th day of FEBRUARY, 2000.



CONTINENTAL CASUALTY COMPANY  
NATIONAL FIRE INSURANCE COMPANY OF HARTFORD  
AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA

*Mary A. Ribikawskis*

Mary A. Ribikawskis

Assistant Secretary

This bond may be increased by rider or other means as necessary to equal the amount as established by the annual up-date of the cost estimate for closure and post-closure care as required by UAC R315-309-2(3) and (4) for said Class \_\_\_\_ Landfill.

The duration of this bond shall be from the time same is filed with the State of Utah until such time as the State of Utah may cancel the same or release the Surety from all liability.

The Surety may cancel this bond by giving the State of Utah 120 days written notice addressed to the State of Utah, Solid and Hazardous Waste Control Board. Upon cancellation of this bond, the State of Utah shall release the Surety from all liability.

In the event of default by the Principal of any of the prior stated provisions and conditions of closure and post-closure care of said Class IV Landfill, the Surety shall conduct or cause to be conducted the closure and post-closure activities as required in permit # \_\_\_\_\_. Upon the completion of the required activities, not to exceed the penal amount of this bond, this obligation of the Surety shall terminate.

---

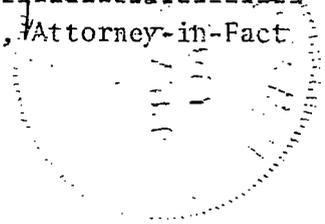
Signed this 8th Day of February, 2000

Niels Fugal Sons Company

American Casualty Company of Reading PA

BY: -----

BY:  -----  
Norman D. Squires, Attorney-in-Fact



**RECEIPT**

Date

10-23

20

07

73916

Received From

Niels Fugal Sono Company 07.03087

Address

Dollars (\$100<sup>00</sup>/<sub>100</sub>)

For

Permit Ap Fee

| ACCOUNT         |  | HOW PAID    |          | ORG. | ACCT. | REP. CAT. | PROJECT | JOB |
|-----------------|--|-------------|----------|------|-------|-----------|---------|-----|
| AMT. OF ACCOUNT |  | CASH        |          | 6500 | 2316  |           |         |     |
| AMT. PAID       |  | CHECK       | ✓ #94522 |      |       |           |         |     |
| BALANCE DUE     |  | MONEY ORDER |          |      |       |           |         |     |

By

J. Olsen