



State of Utah

GARY HERBERT
Governor

GREG BELL
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF SOLID AND
HAZARDOUS WASTE
Scott T. Anderson
Director

FILE COPY

October 11, 2010

Cole and Clay Peck, Owners
Peck Rock & Products
1512 North 1300 East
Lehi, Utah 84043

RE: Peck Rock Class VI Landfill Permit renewal

Dear Messrs. Peck:

Enclosed is the permit to continue to operate the Class VI landfill located in Utah County. The permit expires on the date shown on the cover sheet. If renewal is desired, you must apply 180 days prior to the permit expiration date.

The public comment period on both the permit application and draft permit began September 3, 2010 and ended on October 4, 2010. No comments were received.

Periodic inspections at the facility will be conducted. Personnel from the Division of Solid and Hazardous Waste and the Utah County Health Department will inspect the facility 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 or Ralph Bohn at (801) 536-0200.

Sincerely,

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

STA/MBS/kk

Enclosures: Permit

c: Terry Beebe, Environmental Health Director, Utah County Health Department

TN201000911.DOC

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

**PECK ROCK
CLASS VI 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

Peck Rock and Products as owner and operator
(Permittee)

to own and operate the Peck Rock Class VI Landfill located in 1/4 Northeast section of Section 3, Township 6 South, Range 1 West, Salt Lake Base and Meridian, Utah County, Utah as shown in the permit renewal application that was determined complete on June 15, 2010.

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

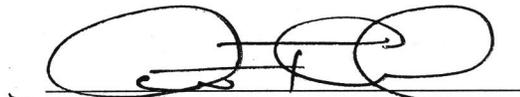
All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this Permit becomes effective.

Effective date: October 15, 2010 .

Expiration date: October 14, 2020 .

Closure Cost Revision Date: October 15, 2015 .

Signed this 10th day of October, 2010.



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

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: Peck Rock Class VI Landfill

OWNER NAME: Peck Rock & Products

OWNER ADDRESS: 1512 North 1300 East, Lehi, Utah 84043

OWNER PHONE NO.: (801) 768-8111

OPERATOR NAME: same as above

OPERATOR ADDRESS: same as above

OPERATOR PHONE NO.: same as above

PROPERTY OWNER: The State of Utah School and Institutional Trust Lands Administration

TYPE OF PERMIT: Class VI Solid Waste Landfill

PERMIT NUMBER: 0306R1

LOCATION: Landfill is located in Township 3 South, Range 1 West, Section 3, SLMB; Utah County, Latitude 40° 19' 30", Longitude. 111° 56' 00"

DIRECTIONS TO FACILITY: From the junction of State Highways 73 and 68, in Saratoga Springs, travel south approximately 3 miles on State Route 68 to Grandview Blvd. and turn right (west). Travel southwest approximately 1 mile to the end of Grandview Blvd and onto the graded gravel road to the entrance of Peck Rock Class VI landfill.

PERMIT REQUIREMENTS

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

The renewal application, as deemed complete on the date shown on the signature page of this Permit, is hereby incorporated by reference into this 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 application, the wording of this Permit supersedes that of the application.

This Permit consists of the cover page, Facility Owner/Operator Information, Sections I through V and the Permit Application as defined above.

The facility as described in this Permit and the Permit Application consists of a scale house and two disposal cells for all permitted waste.

By this Permit to operate, the Permittee shall be subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittee shall operate the Class VI landfill in accordance with the conditions of this Permit and with all requirements of UAC R315-305 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 this Permit or applicable statute or rule and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. 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. The 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. The 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 noncompliance, 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 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 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.

C. Inspection 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 Utah County 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.

D. Prohibited Waste

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

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.

E. Acceptable Waste

1. Construction/demolition waste, as defined in UAC R315-301-2(17);
2. Yard waste, as defined in UAC R315-301-2(87);
3. Inert waste, as defined in UAC R315-301-2(37);
4. Waste tires, when the requirements of UAC R315-320 are met; and

5. Petroleum contaminated soils as allowed in UAC R315-315-8(3).

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. Attachments 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. Construction

The landfill shall be constructed in the area designated and according to the design outlined in the Permit Application including landfill cells, fences, gates, and berms.

The Permittee shall notify the Executive Secretary upon completion of construction of any landfill cells or run-on and run-off diversion systems. No landfill cells or run-on and run-off diversion system may be used until construction is approved by the Executive Secretary.

The Permittee shall notify the Executive Secretary of the completion of construction of any final cover system and shall provide all necessary documentation and shall apply for approval of the construction from the Executive Secretary.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the Permit Application and this Permit shall be kept on site at the landfill or at the location designated in Section III-G of this Permit. The landfill shall be operated in accordance with the Operations Plan. If necessary, the Permittee 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. Plan changes that are found by the Executive Secretary to be less protective of human health or the environment than the approved plan may subject the Permittee to administrative actions including revocation and penalties.

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 onto the landfill premises, as shown in the Permit Application, shall be constructed to prevent access of persons or livestock by other routes.

C. 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 and documented at a minimum frequency of at least 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 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 the Permit Application. The form shall be placed in the operating record at the end of the operating day.

D. Cover

The Permittee shall cover the waste as necessary to prevent fires and to control vectors, blowing litter, odor, scavenging, and fugitive dust. Wastes that are capable of attracting or providing food for vectors, materials that may become windblown litter, or fine materials that may become fugitive dust shall be effectively compacted by making a few passes over it by heavy machinery and then covered with a minimum of six inches of earth at the end of the working day in which they are received. An alternative cover material may be used when the material 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).

A minimum of six inches of earthen cover shall be provided no less than monthly for all other wastes received at the landfill. Wastes shall be effectively compacted by making a few passes over it by heavy machinery and then covered with soil; no alternative may be used. The amount and type of cover placed and the area receiving cover shall be recorded in the operating record and certified by the operator.

E. Roads

All access roads within the landfill boundary, 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.

F. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-4(2)(b). To minimize the potential of accidental fires, the owner shall effectively compact the waste by making a few passes over it with heavy machinery coupled with soil cover as required in Section III D. All accidental fires shall be extinguished as soon as possible.

G. Record Keeping

The Permittee shall maintain and keep on file at the Peck Rock Development office 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 the 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 Utah County Health Department, when forwarded to the Permittee;
- c. Closure and Post-closure care plans; and
- d. Records of employee training.

H. 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, and all training programs completed.

I. 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 and cover; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and records. 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 taken shall be documented in the daily operating record.

J. Training

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

IV. CLOSURE REQUIREMENTS

A. Closure

The Permittee shall close and maintain the facility in accordance with the closure and post-closure plans included in the Permit Application and as required by R315-305-5(5) UAC.

B. Title Recording

The Permittee shall meet the requirements of UAC R315-302-2(6) by recording with the Utah County Recorder as part of the record of title that the property has been used as a landfill. The recording shall including 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.

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. Transfers

This Permit may be transferred to a new permittee or new permittees by meeting the requirements of the permit transfer provision specified in UAC R315-310-11.

B. Permit Modifications

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. Acceptance of any waste type not allowed by UAC R315-305-1 shall require a new permit application and meeting the requirements of UAC R315-310-3(1), (2), & (3); R315-310-4; and R315-310-5.

C. 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.

D. Expansion

This Permit is for the operation of a Class VI Landfill 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. Expansion of the landfill site outside the boundaries shown on the initial permit

application shall require a new permit application and satisfying the requirements of UAC R315-310-3(1), (2), & (3); R315-310-4; and R315-310-5.

Any addition to the list of acceptable waste in Section I E. shall require submittal of all necessary information to the Executive Secretary and the approval of the Executive Secretary. Acceptance of any waste type not allowed by UAC R315-305-1 shall require the Permittee to submit a new permit application and meet all applicable requirements of UAC R315-310 including R315-310-3(3).