



State of Utah

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Executive Secretary

June 15, 2015

Jim Nebeker, Owner
Brennan Bottoms Disposal, LLC
4091 West 3000 South
Roosevelt, UT 84066

RE: Class IIIb Landfill Permit

Dear Mr. Nebeker:

The 30-day public comment period for the Brennan Bottoms Disposal Facility Class IIIb Oil and Gas Exploration and Production Waste Landfill draft permit ended June 4, 2015. No comments were received.

Enclosed is Permit #1405, which is effective June 15, 2015 and expires on June 15, 2025. A public notice of the permit issuance will appear in the local newspaper.

If you have any questions, please call Doug Taylor at (801) 536-0240.

Sincerely,

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

STA/DT/kl

Enclosure: Permit (DSHW-2015-003910), Attachments 1-3 (DSHW-2015-004257)

c: Don DeMille, Owner
Clint Allen, CRS Engineers
Jordan Mathis, Health Officer, Tri-County Health Department
Darrin Brown, LEHS, Environmental Health Director, Tri-County Health Department
Scott Hacking, P.E., DEQ District Engineer

DSHW-2015-006347

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**DIVISION OF SOLID AND HAZARDOUS WASTE
CLASS IIIb SOLID WASTE PERMIT**

**Brennan Bottoms Disposal Facility
Oil and Gas Exploration and Production Waste Landfill**

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

Brennan Bottoms Disposal Facility
(Permittee)

to own, construct and operate the Brennan Bottoms Disposal Facility (BBDF) CLASS IIIb Oil and Gas Exploration and Production Waste Landfill located in the SW1/4 of the SW1/4 of Section 19, Township 6 South, Range 21 East, Salt Lake Base and Meridian, Uintah County, Utah as shown in the Permit Application that was determined complete on March 10, 2015 (Document Number DSHW-2014-015701 and DSHW-2015-003336).

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

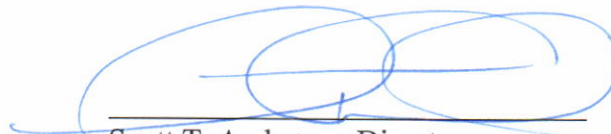
All references to R315-301 through 320 of the Utah Administrative Code are to regulations that are in effect on the date this Permit becomes effective.

This Permit shall become effective June 15, 2015.

This Permit shall expire at midnight June 15, 2025.

Closure Cost Revision Date: June 15, 2020.

Signed this 15th day of June, 2015



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

FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: Brennan Bottoms Disposal Facility Class IIIb Oil and Gas Exploration and Production Waste Landfill

OWNER NAME: Brennan Bottoms Disposal, LLC

OWNER ADDRESS: 4091 West 3000 South, Roosevelt, Utah 84066

OWNER PHONE NO.: (435) 823-6116

OPERATOR NAME: Brennan Bottoms Disposal, LLC

OPERATOR ADDRESS: 4091 West 3000 South, Roosevelt, Utah 84066

OPERATOR PHONE NO.: (435) 823-6116

TYPE OF PERMIT: Class IIIb Oil and Gas Exploration and Production Waste Landfill

PERMIT NUMBER: #1405

LOCATION: Township 6 South, Range 21 East, 21 East, SLMB Uintah County, Lat. 40° 16' 48", Long. 109° 35' 58.04."
3999 West 12250 South, Twelve Mile Wash Road, Vernal, Utah 84078.

PERMIT HISTORY Permit Signed June 15, 2015

PERMIT REQUIREMENTS

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

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

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

The facility as described in this Permit consists of an operations office building and the disposal cell for all permitted waste.

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.

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

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. General Operation

The Permittee shall operate the landfill in accordance with all applicable requirements of R315-304 of the Utah Administrative Code that are in effect as of the date of this Permit unless otherwise noted in this Permit. Any permit noncompliance or noncompliance with any applicable portions of Utah Code Ann. § 19-6-101 through 125 and applicable portions of R315-301 through 320 of the Utah Administrative Code constitutes a violation of the Permit or applicable statute or rule and is grounds for appropriate enforcement action, permit revocation, modification or denial of a permit renewal application.

B. Acceptable Waste

The Permittee may accept for disposal any non-liquid oil and gas exploration and production waste.

C. Prohibited Waste

1. All types of solid waste as defined by § 19-6-102(19) of the Utah Code Annotated;
2. Hazardous waste as defined by R315-1 and R315-2 of the Utah Administrative Code;
3. PCBs as defined by R315-301-2(53) of the Utah Administrative Code;
4. Household waste as defined by R315-301-2(33) of the Utah Administrative Code;
5. Municipal waste as defined by R315-301-2(47) of the Utah Administrative Code; and
6. Commercial waste as defined by R315-301-2(14) of the Utah Administrative Code.

Any prohibited waste disposed in the Class IIIb cell shall constitute a violation of this Permit, of Utah Code Ann. § 19-6-101 through 125 and of R315-301 through 320 of the Utah Administrative Code.

D. Inspections and Inspection Access

The Permittee shall allow the Director or an authorized representative of the Director or representatives from the TriCounty Health Department to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;
2. Have access to and copy any records required to be kept under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;
3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit or regulated under R315-301 through 320 of the Utah Administrative Code; and
4. Create a record of any inspection by photographic, video, electronic, or any other reasonable means.

E. Noncompliance

If monitoring, inspection or testing indicates that any permit condition or any applicable rule under R315-301 through 320 of the Utah Administrative Code may be or is being violated, the Permittee shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules.

In the event of noncompliance with any permit condition or violation of an applicable rule, the Permittee shall promptly take all action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs or permanently closing areas of the facility.

The Permittee shall:

1. Document the noncompliance or violation in the daily operating record on the day the event occurred or the day it was discovered;
2. Notify the Director by telephone within 24 hours or the next business day following documentation of the event; and
3. Submit to the Director within 30 days a written report describing the nature and extent of the noncompliance or violation and the remedial measures implemented to protect human health and the environment and to eliminate the noncompliance or violation.

Upon receipt and review of the assessment report, the Director may order the Permittee to perform additional appropriate remedial measures including development of a site remediation plan for approval by the Director.