

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

CLASS I LANDFILL

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

Sevier County as owner and operator,

is hereby authorized to operate the Sage Flat Class I Landfill located in southwest ¼ of Section 3, the southeast ¼ of Section 4, the northeast ¼ of Section 9, and the northwest ¼ of Section 10, Township 23 South, Range 1 West, Salt Lake Base and Meridian, Sevier County, Utah as shown in the permit renewal application that was determined complete on February 24, 2005.

The operation of the landfill is subject to the condition that Sevier County (Permittee) meet 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, 2005.

This permit shall expire at midnight May 31, 2005.

Signed this _____ day of _____, 2005.

Original Document signed Dennis R. Downs on 5/23/05

Dennis R. Downs, Executive Secretary
Utah Solid and Hazardous Waste Control Board

PERMIT REQUIREMENTS

LANDFILL NAME: Sage Flat Landfill
OWNER NAME: Sevier County
OWNER ADDRESS: 250 North Main
Richfield, Utah 84701
OWNER PHONE NO.: (435) 896-9262
OPERATOR NAME: Sevier County
OPERATOR ADDRESS: same as owner
TYPE OF PERMIT: Class I Landfill
PERMIT NUMBER: 9407R2
LOCATION: Landfill site is located in Township 23 South, Range 1 West,
Sections 3, 4, 9, and 10, SLMB; Sevier County, Lat. 38° 49' 53",
Long. 111° 54' 17"

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

The renewal application, as deemed complete on February 24, 2005, is hereby incorporated by reference into this Solid Waste Permit and will be referred to as renewal application throughout this permit. All representations made in the renewal application are part of this permit and are enforceable under UAC 315-301-5(2). The renewal application will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the renewal application, the wording of the permit supersedes that of the renewal application.

The facility as described in this permit and the permit application consists of the Class I and Class IV disposal cells, scale house, maintenance building, tire and white goods collection area, and dead animal pit.

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 rules in UAC R315-301 through 320 constitutes a violation of the permit or applicable 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, municipal solid waste, commercial waste, industrial waste, construction/demolition waste, and special waste as defined in UAC R315-301-2. The Permittee may accept conditionally exempt small quantity generator hazardous waste as specified in UAC R315-303-4(7)(a)(i)(B) and PCB's as specified by UAC R315-315-7(2).

C. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2 or PCB's as defined by UAC R315-301-2, except as allowed in Section IB (Acceptable Waste) of this permit, may be accepted for treatment, storage, or disposal at the landfill. Any prohibited waste received and accepted for treatment, storage, or disposal at the facility will constitute a violation of this permit and 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, including 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 the 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 the Permit or regulated under UAC R315-301 through 320; and

4. Create a record of any inspection by photographic, videotape, electronic, or any other reasonable means.

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; notify the Executive Secretary of the Solid and Hazardous Waste Control Board within 24 hours, or the next business day following documentation of the event; and give written notice of the noncompliance or violation and measures taken to protect public health and the environment within seven days of Executive Secretary notification. Within thirty days of the documentation of the event, the Permittee shall submit, to the Executive Secretary, a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Executive Secretary may order the Permittee to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.

In an enforcement action, the Permittee may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with UAC R315-301 through 320 and this permit.

Compliance with the terms of this permit does not constitute a defense to actions brought under any other local, State, or Federal laws. This permit does not exempt the Permittee from obtaining any other local, State or Federal permits or approvals required for 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 nor does it 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 shall be 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 The Permit is not being met. The Permittee will be notified in writing prior to any proposed revocation action and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

Revocation of this permit does not revoke the financial assurance established for closure and post-closure care of the facility, nor remove any responsibility on the part of the Permittee for completion of closure and post-closure care for the facility required in UAC R315-302-3.

G. Attachment Incorporation

Attachments incorporated by reference are enforceable conditions of this permit, as are documents incorporated by reference into the attachments. Language in this permit supercedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

The Permittee shall construct any landfill cell, sub-cell, run-on and runoff diversion system, waste treatment facility, or final cover in accordance with the design submitted as part of the permit renewal application and in accordance with the Utah Solid Waste Permitting and Management Rules (UAC R315-301 thru 320).

Prior to construction of any landfill cell, sub-cell, run-on and runoff diversion system, waste treatment facility, or final cover the Permittee shall submit construction design drawings and a Construction Quality Control and Construction Quality Assurance (CQC/CQA) Plan to the Executive Secretary for approval. Buildings do not require approval. The Permittee shall construct any landfill cell, sub-cell, cell liner, run-on and run-off diversion system, waste

treatment facility, and the final cover in accordance with the design drawings and CQC/CQA Plans submitted and approved by the Executive Secretary.

Subsequent to construction the Permittee shall notify the Executive Secretary of completion of construction of any landfill cell, sub-cell, run-on or run-off diversion system, waste treatment facility, or final cover. Landfill cells may not be used for treatment or disposal of waste until all CQC/CQA documents and construction related documents including as-builts are approved by the Executive Secretary. The Permittee shall submit as-built drawings for each construction event that are signed and sealed by an engineer registered in the State of Utah.

The Permittee shall notify the Executive Secretary of any proposed incremental closure, placement of any part of the final, or placement of the full final cover. Construction of any portion of the final cover shall be considered as a separate construction event and shall be approved separately from any other construction or expansion of the landfill. Design approval must be received from the Executive Secretary prior to construction and must be accompanied by a CQC/CQA Plan, for each construction season where incremental or final closure is performed.

A qualified independent third party shall perform the quality assurance function on liner components, cover components, and other testing as required by the approved CQC/CQA Plan. The results must be submitted as part of the as-built drawings to the Executive Secretary.

All engineering drawings submitted to the Executive Secretary must be stamped and approved by a professional engineer with a current registration in Utah.

B. Run-On Control

Drainage channels and diversions shall be constructed as specified in the permit renewal application and maintained at all times to effectively prevent runoff from the surrounding area from entering the landfill.

C. Future Trench Liner Design

Prior to construction of future trenches, the Permittee must choose to either construct the trench liner with the standard design (as described in R315-303-3(3)(a) UAC), demonstrate that the current design or another chosen design is equivalent to the standard design (as described in R315-303-3(3)(c) UAC), or, as an alternative design, demonstrate that no potential for contamination of ground water from the landfill exists and therefore no liner is necessary (as described in R315-303-3(3)(b) UAC).

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the permit renewal application and the solid waste permit issued by the Executive Secretary shall be kept onsite at the landfill. The landfill shall be operated in accordance with the operations plan as included in the permit renewal application. 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 renewal 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.

B. Security

The Permittee shall operate the Landfill so that unauthorized entry to the facility is prevented. All facility gates and other access routes shall be locked during the time the landfill is not open. At least one person, employed by Sevier County, shall be at the landfill during all hours that the landfill is open. Fencing and any other access controls as shown in the permit renewal 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). Burning of material when meeting the requirements of UAC R307-202-5 is allowed in a segregated area within the landfill site. 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.

Any use of an alternative daily cover must be approved by the Executive Secretary. If an alternative cover is approved at any time during the life of this permit the following conditions will apply:

1. Apply standard daily cover (min. 6 inches of soil) at least once per week, primarily to serve as a fire break.
2. Apply standard daily cover any time the alternative daily cover will be exposed for greater than 24 hours (normally this occurs once per week and also satisfies Condition "1" above).
3. Apply standard daily cover when weather conditions (e.g., wind, rain, etc.) prevent proper use of alternate daily cover.
4. Record alternative daily cover use dates in the facility daily operating log.
5. Permission to use alternative daily cover may be rescinded or amended if the requirements to prevent blowing debris, minimize access to the waste by vectors, minimize the threat of fires at the open face, minimize odors, or shed precipitation are not met, or if necessary to prevent nuisance conditions or adverse impacts to human health and or the environment.

F. Ground Water Monitoring

This facility has demonstrated through geologic, hydrogeologic, climatic, waste stream, and other factors that the landfill will not contaminate ground water and the ground water monitoring requirement has been waived in accordance with R315-308-1(3). Any contamination of ground water resulting from operation of the landfill will 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 renewal application and shall otherwise meet the requirements of UAC R315-303-3(5). If necessary, the Permittee 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 renewal 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, 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. Loads to be inspected are to be chosen on a random basis.

All containers capable of holding more than five gallons of liquid will be inspected to assure that the container is empty.

All loads that the operator suspects may contain a waste not allowed for disposal at the landfill will 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. The load to be inspected will be chosen on a random basis;
3. Loads subjected to complete inspection shall be unloaded at the designated area;
4. Loads shall be spread by equipment or by hand tools;
5. A visual inspection of the waste shall be conducted by personnel trained in hazardous waste recognition and recognition of other unacceptable waste; and
6. The inspection shall be recorded on the waste inspection form found in the permit renewal application. The form shall be placed in the operating record at the end of the operating day.

I. Disposal of Liquids

Disposal of containers larger than household size (five gallons) holding any liquid, noncontainerized material containing free liquids, sludge containing free liquids, or any waste containing free liquids in containers larger than five gallons is prohibited.

J. Disposal of Special Wastes

Animal carcasses may be disposed at the bottom of the landfill working face and must be covered with other solid waste or earth by the end of the operating day in which they are received or they 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.

If loads of incinerator ash are 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 human health and environmental hazard.

K. 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. These general inspections shall be completed no less than quarterly and shall cover the following areas: Waste placement, compaction, cover; cell liner; leachate collection system; 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 shall be documented in the daily operating record.

L. Recordkeeping

The Permittee shall maintain and keep on file at the landfill office a daily operating record and other general records of landfill operation as required by UAC R315-302-2(3).

The daily operating record shall include the following items:

1. 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;
2. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
3. 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;
4. 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.

The general record of landfill operations shall include the following items:

1. A copy of The Permit including the permit renewal application;
2. 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;
3. Closure and Post-closure care plans;
4. Records of employee training; and
5. Results of landfill gas monitoring.

M. 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, any leachate analysis results, the quantity of leachate pumped, and all training programs completed.

N. 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.

IV. CLOSURE REQUIREMENTS

A. Closure

Final cover of the landfill shall be as shown in the permit renewal 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, and approval of the plan must be received from the Executive Secretary prior to construction of any part of the final cover at the landfill. A qualified third party shall perform permeability testing on the recompacted clay placed as part of the final cover.

B. Title Recording

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

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 renewal 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 mechanism that meets the requirements of UAC R315-309 to cover the costs of closure and post-closure care at the landfill. An annual revision of closure costs and financial assurance funding shall be submitted to the Executive Secretary as part of the annual report. The financial assurance fund shall be adequately funded to provide for the cost of closure at any stage or phase or anytime during the life of the landfill. 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.

E. Financial Assurance Annual Update

An annual revision of closure costs and financial assurance funding as, required by R315-309-2(2), shall be submitted to the Executive Secretary as part of the annual report.

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 will 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 of UAC R315-310-10.

C. Expansion

This permit is for the operation of a Class I Landfill according to the design and Operation Plan described and explained in the permit renewal application. Any expansion of the current footprint designated in the description contained in the permit renewal application, but within the property boundaries designated in the permit renewal application, will require submittal of plans and specifications to the Executive Secretary. The plans and specifications must 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 renewal application will 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 will 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

This permit shall expire five years from the effective date which is the date shown on the signature (first) page of this permit. Application for permit renewal shall be made at least 180 days prior to the expiration of this permit. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this permit will continue in force until renewal is completed or denied.

E. Status Notification

Eighteen months from the date of this permit the Executive Secretary shall be notified in writing of the status of the construction of this facility unless construction is complete and operation has commenced. If construction has not begun within 18 months the Permittee must submit adequate justification to the Executive Secretary as to the reasons that construction has not commenced. If no submission is made or the submission is judged inadequate by the Executive Secretary, this permit will be revoked