

# DRAFT SOLID WASTE PERMIT

The Department of Environmental Quality hereby approves the following permit:

<b>PERMIT NUMBER:</b>	TBD
<b>APPLICANT:</b>	City of Ada
<b>FACILITY NAME:</b>	City of Ada Municipal Solid Waste Transfer Station
<b>FACILITY TYPE:</b>	Transfer Station
<b>COUNTY:</b>	Pontotoc County

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The City of Ada, having complied with the requirements of the law, is hereby granted permission to construct, operate, maintain, and close the City of Ada Municipal Solid Waste Transfer Station (MSWTS), located approximately 5 miles northwest of Ada, Oklahoma, more precisely described by the following legal description:

A tract of land lying in the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Twenty-four (24), Township Four (4) North, Range Five (5) East of the Indian Meridian, Pontotoc County, Oklahoma, and being more particularly described as follows: COMMENCING at the northeast corner of the NW/4 of said Section 24; THENCE South 00°38'37" East, along the east line of said NW/4, a distance of 275.00 feet; THENCE South 89°21'23" West, perpendicular to said east line, a distance of 81.00 feet to the POINT OF BEGINNING; THENCE South 00°38'37" East, parallel with said east line, a distance of 359.50 feet; THENCE South 89°21'23" West, perpendicular to said east line, a distance of 438.00 feet; THENCE North 00°38'37" West, parallel with said east line, a distance of 359.50 feet; THENCE North 89°21'23" East, perpendicular to said east line, a distance of 438.00 feet to the POINT OF BEGINNING. Said described tract of land contains an area of 157,461 square feet or 3.6 acres, more or less.

The City of Ada MSWTS is approved to accept and manage municipal solid waste and construction and demolition waste. Any storage or treatment of wastes not authorized in this Permit is prohibited, unless exempted from Permit requirements. Any receipt, storage, or treatment of any hazardous, radioactive, regulated polychlorinated biphenyl (PCB), regulated medical, non-hazardous industrial waste (NHIW), or asbestos waste is strictly prohibited.

This Permit has been prepared by the Oklahoma Department of Environmental Quality, pursuant to its authority under the Oklahoma Solid Waste Management Act, 27A O.S. § 2-10-101 et seq., and the Oklahoma Administrative Code (OAC) 252 (Rules) of the Oklahoma Department of Environmental Quality promulgated thereunder. It sets forth conditions and requirements for the construction, operation, maintenance, and financial assurance obligations of the City of Ada.

Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations. The provisions of this Permit are severable. If any part or provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid by a

# DRAFT SOLID WASTE PERMIT (CONTINUED)

court of competent jurisdiction, the decision of that court or the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

This Permit is based on data, design criteria, plans, and specifications presented in the Application, revised and supplemented, which are hereby approved by DEQ and incorporated by reference. Any inaccuracies found in the Application or supporting documentation may provide cause for potential enforcement action against the City of Ada and/or the modification or revocation of this Permit.

## **Incorporated by Reference:**

1. Tier II Permit Application for Municipal Solid Waste Transfer Station, prepared by Civil & Environmental Consultants, Inc., submitted under cover letter dated August 15, 2019.
2. Response to Notice of Deficiency, dated October 21, 2019.
3. Additional location restriction correspondence, submitted via electronic mail on November 22, 2019.
4. Response to Technical Review Notice of Deficiency, dated February 21, 2020, inclusive of revisions to: Section 4 (General Information), Section 7 (Leachate Collection and Management), Section 9 (Operational Plan), Appendix B (Permit Drawings), and Appendix D (Stormwater Calculations).
5. Revised Waste Exclusion Plan, submitted via electronic mail on April 16, 2020.

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**The City of Ada is authorized to operate in conformity with the application and other items incorporated by reference. Commencing operations under this permit constitutes acceptance of, and consent to, the conditions contained herein.**

\_\_\_\_\_  
Hillary Young, P.E.  
Chief Engineer  
Land Protection Division

Date: \_\_\_\_\_

\_\_\_\_\_  
Kelly Dixon  
Division Director  
Land Protection Division

Date: \_\_\_\_\_

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DRAFT

**A. FACILITY SUMMARY**

1. **Name of Facility:** City of Ada Municipal Solid Waste Transfer Station
2. **Type of Facility:** Solid Waste Transfer Station
3. **Name of Applicant, Applicant Representative and Applicant Address:**  
  
City of Ada  
Gary Kinder, P.E.  
231 S. Townsend  
Ada, OK 74820
4. **Legal Right to Property:** Owner
5. **Map Location of Site:** Approximately 5 miles northwest of Ada, OK. Approximate coordinates of Facility entrance: 34°48'38.18" N, 96°43'59.92" W
6. **County:** Pontotoc
7. **Type of Waste to be Accepted:** Municipal solid waste and construction and demolition waste
8. **Source(s) of Waste:** Pontotoc County residents and businesses
9. **Number of Acres in Permitted Boundary:** 3.6 acres
10. **Financial Assurance:** Not required since the Facility will principally manage municipal solid waste
11. **Location Restrictions:** The Facility meets the requirements of all applicable location restrictions

**B. DEFINITIONS**

All words or terms, when used in this permit, shall have the meaning set forth in the Oklahoma Solid Waste Management Act and OAC 252:515-1-2, unless the context clearly indicates otherwise. Any term not defined in the Oklahoma Solid Waste Management Act and OAC 252:515-1-2 shall be defined as set forth in OAC 252:515-1-3.

**C. GENERAL CONDITIONS**

1. **Duty to Comply:** The City of Ada shall comply with the Oklahoma Solid Waste Management Act 27A O.S. § 2-10-101 *et seq.* (Act), the Environmental Quality Code (Code) and Rules promulgated thereunder, OAC 252:515, including referenced provisions of the Oklahoma Administrative Code, and all conditions of this permit. Any permit noncompliance constitutes a violation of this permit and is grounds for enforcement action, including permit modification, administrative civil penalties, summary suspension or revocation, and denial of a pending permit application.
2. **Duty to Apply:** The City of Ada shall apply for a permit modification when such application is required by OAC 252:4 and 515.
3. **Need to Halt or Reduce Activity Not a Defense:** It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. **Duty to Mitigate:** The City of Ada shall take all reasonable steps to minimize or correct any adverse impact on the environment and the public health resulting from noncompliance with this permit or site operation.
5. **Proper Operation and Maintenance:** The City of Ada shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the City of Ada. Proper operation and maintenance includes effective performance of operations and adequate funding, operator staffing and training, and the provision of appropriate waste-handling equipment.
6. **Duty to Provide Information:** The City of Ada shall furnish to DEQ within a time specified, any information that DEQ may request to determine:
  - a. Whether cause exists for modifying, amending, suspending, or revoking this permit;
  - b. Compliance with this permit; and
  - c. Whether a new or modified permit should be issued.

The City of Ada shall also furnish to DEQ, upon its request, copies of records required to be kept by this permit and OAC 252:515.

7. **Inspection and Entry:** The City of Ada shall allow authorized representatives of DEQ, upon the presentation of credentials as may be required by law, to:
  - a. Enter upon the permitted site or where records required by this permit are kept;

- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times any site construction or waste storage, processing and management operations; and
  - d. Sample or monitor, for the purpose of assuring compliance with this permit, any substances or parameters at the facility.
8. **Records:** The City of Ada shall keep on file this permit and permit application and copies of all:
  - a. As-built facility construction plans, drawings, and specifications;
  - b. Repair and maintenance records;
  - c. All monitoring data when monitoring is required;
  - d. A daily log to record operational information, including the quantity of waste received;
  - e. DEQ inspection records;
  - f. Personnel training records;
  - g. Reports filed with DEQ, including all incident reports; and
  - h. Other permits issued by city, county, state, and federal agencies.
9. **Duration of Permit:** Oklahoma Administrative Code (OAC) 252:515-3-5 mandates the duration of this permit is for the life of the facility.
10. **Cessation of Operations:** If the Facility ceases to accept waste for thirty (30) days or more without prior notice to DEQ, OAC 252:515-3-5(c) deems the Facility to be in the process of final closure.
11. **Suspended operations:** The City of Ada may suspend development or operations of the Facility. To do so, the City of Ada must:
  - a. Provide prior written notice to DEQ of the intent to suspend development or operations;
  - b. Renew such notice annually;
  - c. If site development or operations remain suspended for more than one year, without DEQ approval to continue suspension, the facility shall perform closure activities in accordance with the approved closure plan and OAC 252:515-27.
12. **Resuming operations:** If the City of Ada suspends operations, then prior to resuming such operations, the permit must be modified if, in the opinion of DEQ, the permit does not comply with all current laws and regulations.

13. **Transfer of Permit:** This permit may not be transferred to any other person or entity except after notice to and approval of DEQ. No transfer will be approved until The City of Ada complies with all transfer requirements in OAC 252:4 and 515.
14. **Corrective action requirement:** The City of Ada shall conduct corrective action if inspection of the site, or any monitoring results, indicate the potential for, or actual release of, contaminants into the environment.

**D. CONSTRUCTION CONDITIONS**

1. **Construction Authorization:** The Facility shall be constructed in accordance with the data, design criteria, plans, and specifications in the permit application, the Act and Rules and the specific conditions set forth in this permit for individual components of construction.
2. **Construction of Surface Water and Runoff Controls:** The City of Ada shall construct and maintain the site as specified in the permit application to control surface water drainage and runoff at the site.
3. **Certification of Construction:** The City of Ada shall submit to DEQ, by certified mail or hand delivery, a letter signed and sealed by an independent professional engineer registered in Oklahoma, certifying that the facility is constructed in accordance with the plans and specifications. The certificate of construction should include a summary of construction activities, as-built drawings, and a description of any deviations from the construction plans.
4. **Review of Certification of Construction:** DEQ shall review all completion reports and certifications and may conduct an on-site inspection to verify that the construction of the facility complies with all regulatory and permit requirements.
5. **Commencement of Operations:** The City of Ada shall not accept waste or commence operation of the transfer station until DEQ reviews the certificate of construction and provides written approval for waste acceptance.

**E. OPERATING CONDITIONS**

1. **Waste Acceptance:** OAC 252:515-19-31 and the Waste Exclusion Plan prohibit the following wastes from being accepted and disposed at the Facility:
  - a. Hazardous waste;
  - b. Non-hazardous industrial waste (NHIW)
  - c. Polychlorinated Biphenyl (PCB) waste;
  - d. Regulated medical waste;

- e. Radioactive waste;
  - f. Liquid waste; and
  - g. Asbestos waste.
2. **Holding Period:** No putrescible waste shall be stored at the Facility for more than 24 hours after receipt. If appropriate odor and vector controls are implemented, processing time may be extended to forty-eight (48) hours. If processing failures occur, all putrescible wastes shall be removed within ninety-six (96) hours to an alternate permitted disposal site.
  3. **Large or Bulky Items:** The Facility shall not accept large or bulky items, unless a plan is submitted to DEQ for review and approval.
  4. **Blowing Litter:** The City of Ada shall inspect incoming loads at the Facility for adequate cover to prevent blowing litter. Unloading shall be performed in a manner that will minimize scattering of refuse. The entire site and the approach roadway to the site shall be monitored daily for blowing litter.
  5. **Salvage and Recycling:** Salvage and/or recycling operations are not permitted at the Facility at this time. A written plan must be approved by DEQ prior to conducting salvage and/or recycling operations.
  6. **Signage:** The City of Ada shall post signage to: (1) identify the site; (2) advise customers to adequately cover their loads to prevent blowing litter; (3) list the hours of operation; (4) list an emergency contact number and (5) list the DEQ solid waste permit number.
  7. **Security:** The City of Ada shall control access to the Facility with a chain-link fence and single-access gate. Facility access will be barred during non-operating hours.
  8. **Transfer of Waste:** The City of Ada shall dispose of all transferred waste at a site permitted to accept such wastes.
  9. **Preservation of Aesthetics:** The City of Ada shall take measures to enhance the visual harmony of the Facility and surrounding area, including maintaining and planting bushes and trees along the north side of the property and replace existing trees when necessary. The City of Ada must also reduce the transmission of dust and noise from the Facility as much as possible.
  10. **Open Burning Prohibited:** The Facility is prohibited from burning any solid waste.
  11. **Air Criteria:** The City of Ada shall ensure that it does not violate any applicable requirements of the Oklahoma Clean Air Act, as amended, or rules promulgated thereunder. The City of Ada



shall adhere to all applicable requirements as described in OAC 252:100. The burning of any waste at this facility is prohibited, and Facility operations must prevent the discharge of visible fugitive dust emissions as described in OAC 252:515-19-36.

- 12. Contaminated Water Management:** All contaminated water including, but not limited to, wash down water from trucks, floors, equipment, and liquids from the compaction of waste shall be drained to a sump and a leachate manhole located on the south side of the transfer station. The leachate will be transported from this manhole through a dual contained high density polyethylene (HDPE) pipe to the leachate pond at the City of Ada Landfill. Leachate shall not be allowed to flow out the entrance of the transfer station.
- 13. Out of State Waste:** The Facility shall not accept more than 200 tons of waste per day from outside the State of Oklahoma unless the requirements of OAC 252:515-19-34 have been satisfied. The Facility shall maintain a daily record of out of state waste tonnage and maintain this file in the Facility record at the site.

**F. REQUIRED NOTICES**

- 1. Reporting Requirements:** The City of Ada shall give notice to DEQ as soon as possible of any planned physical alterations or additions to the Facility and of any planned changes in the permit or activity which may result in noncompliance with permit requirements. If the City of Ada becomes aware that it failed to submit any relevant facts or submitted incorrect information in the permit application or in any report to DEQ, it shall promptly submit correct facts or information. Failure to make a prompt submission is grounds for enforcement action and the amendment, modification, or revocation of this permit.

All reports, notifications, or other information required by this permit to be submitted to DEQ should be sent to DEQ by verifiable delivery at the following address:

Oklahoma Department of Environmental Quality  
Land Protection Division  
P.O. Box 1677  
Oklahoma City, OK 73101-1677

- 2. Twenty-four Hour Reporting:** The City of Ada shall report to DEQ any noncompliance which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time the City of Ada becomes aware of the circumstances. The report shall include the following:
  - a.** Information concerning release of any waste that may cause an endangerment to public drinking water supplies;

- b. Information of a fire or explosion at the facility which could threaten the environment or human health outside the facility; and
- c. The description of the occurrence and its cause. The description shall include:
  - i. Name, address, and telephone number of the owner or operator;
  - ii. Name, address, and telephone number of the facility;
  - iii. Date, time, and type of incident;
  - iv. Name, quantity and generator of materials involved;
  - v. The extent of injuries, if any;
  - vi. An assessment of actual or potential hazards to the environment and human health outside the facility;
  - vii. Estimated quantity and disposition of recovered material that resulted from the incident; and
  - viii. If the occurrence is determined to be a result of faulty equipment, then similar equipment throughout the facility will be replaced to prevent the same occurrence.

3. **Written Incident Report:** A written report shall also be submitted to DEQ within five (5) days of the time the City of Ada becomes aware of the incident. The written report shall contain a description of the situation and the cause; the period(s) of the situation (including exact dates and times); whether the situation has been corrected; and, if not, the anticipated time it is expected to be corrected; and steps taken or planned to reduce, eliminate, and prevent recurrence of the situations.

#### **G. CLOSURE CONDITIONS**

1. **Notice of Final Closure:** The City of Ada shall give written notice to DEQ at least two (2) weeks prior to beginning final closure of the Facility.
2. **Closure Approval:** Final closure of the Facility must be in accordance with this permit, the approved Closure Plan, and regulatory requirements. Final closure must be approved in writing by DEQ.
3. **Certification of Final Closure:** Within sixty 60 days after the completion of final closure for the Facility, the City of Ada shall submit to DEQ a notarized statement signed by an authorized agent, and a certification, signed and sealed by an independent professional engineer registered in the State of Oklahoma, that the site was closed in accordance with the approved closure plan, the permit, and applicable Rules.