APPENDIX B-1

Original Permit Area Legal Descriptions
LIMIT OF WASTE DISPOSAL AREA EXHIBIT

of part of

Sections 9 & 16, T-20-N, R-14-E

Tulsa County, Oklahoma

LIMIT OF WASTE DISPOSAL AREA

SECTION 9

LIMIT OF WASTE DISPOSAL AREA

SECTION 16

P.O.B. WASTE DISPOSAL BOUNDARY

WASTE DISPOSAL BOUNDARY

PERMITTED SITE BOUNDARY

BOUNDARY CALLS

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<th>BEARING</th>
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LIMIT OF WASTE DISPOSAL AREA EXHIBIT

of part of

Sections 9 & 16, T-20-N, R-14-E

Tulsa County, Oklahoma

LIMIT OF WASTE DISPOSAL AREA

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LIMIT OF WASTE DISPOSAL AREA LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIXTEEN (16) AND THE SOUTHWEST QUARTER (SW/4) OF SECTION NINE (9), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4; THENCE NORTH 88°44'47" EAST ALONG THE NORTH LINE OF SAID NW/4 FOR 917.70 FEET; THENCE SOUTH 01°10'3" EAST FOR 496.46 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 89°43'04" EAST FOR 38.24 FEET; THENCE SOUTH 83°07'11" EAST FOR 58.89 FEET; THENCE NORTH 79°16'18" EAST FOR 86.04 FEET; THENCE NORTH 84°59'33" EAST FOR 327.30 FEET; THENCE NORTH 51°18'31" EAST FOR 91.40 FEET; THENCE NORTH 76°34'00" EAST FOR 74.86 FEET; THENCE NORTH 43°14'45" EAST FOR 22.81 FEET; THENCE NORTH 72°00'11" EAST FOR 63.16 FEET; THENCE NORTH 65°24'08" EAST FOR 217.39 FEET; THENCE NORTH 39°22'29" EAST FOR 361.54 FEET; THENCE NORTH 73°21'53" EAST FOR 82.25 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16 AND THE SOUTH LINE OF SAID SECTION 9; THENCE CONTINUING NORTH 78°11'53" EAST FOR 159.45 FEET; THENCE SOUTH 01°07'41" EAST FOR 218.44 FEET TO A POINT OF CURVE; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 90.00 FEET AND A CENTRAL ANGLE OF 77°34'24" FOR 121.85 FEET TO A POINT OF TANGENT; THENCE SOUTH 78°42'05" EAST ALONG SAID TANGENT FOR 89.89 FEET; THENCE SOUTH 03°56'38" EAST FOR 190.05 FEET; THENCE SOUTH 01°07'41" EAST FOR 501.85 FEET; THENCE SOUTH 00°09'02" WEST FOR 737.64 FEET; THENCE SOUTH 89°59'15" WEST FOR 1632.74 FEET; THENCE NORTH 80°32'42" WEST FOR 158.06 FEET; THENCE SOUTH 89°59'55" WEST FOR 559.27 FEET; THENCE NORTH 00°07'49" WEST FOR 767.08 FEET; THENCE SOUTH 34°38'12" EAST FOR 334.63 FEET; THENCE SOUTH 89°54'10" EAST FOR 281.52 FEET; THENCE NORTH 35°37'35" EAST FOR 418.89 FEET; THENCE NORTH 00°02'43" WEST FOR 323.54 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, CONTAINING 61.492 ACRES MORE OR LESS.

REAL PROPERTY CERTIFICATION

WE, SISEMORE WEISZ & ASSOCIATES, INC., HEREBY CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED.

BY:  
DEAN ROBINSON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1145  

DATE: 12-18-01
PERMITTED SITE BOUNDARY EXHIBIT
of part of
Sections 9 & 16, T-20-N, R-14-E
Tulsa County, Oklahoma

PERMITTED SITE BOUNDARY
SECTION 9

PERMITTED SITE BOUNDARY
SECTION 16

WASTE DISPOSAL BOUNDARY

Location Map

BEARING DIST. DELTA RADIUS LENGTH CH.BEAR. CHORD
1
2
3
4
5
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7
8
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12

Scale: 1"=500'

FIGURE 7-1 (CONTINUED)

Stenmore Wells & Associates, Inc.
26 EAST 52ND PLAZA
2624 SO. 46TH EAST
OKLAHOMA CITY, OK 73109
PHONE (405) 424-5000
FAX (405) 424-0211

FILE N/A SURVEY BY: N/A DATE: 12/18/2001
ORDER: 12763 DRAWN BY: CWC SCALE: 1"=500'
BOOK N/A CHECKED BY: SHEET 3 OF 4
A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIXTEEN (16) AND THE SOUTHWEST QUARTER (SW/4) OF SECTION NINE (9), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4; THENCE NORTH 88°44'47" EAST ALONG THE NORTH LINE OF SAID NW/4 FOR 873.33 FEET; THENCE SOUTH 01°15'13" EAST FOR 229.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 286 AND THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 80°18'24" EAST FOR 0.00 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 8768.41 FEET AND A CENTRAL ANGLE OF 07°11'20" FOR 1100.16 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 16 AND THE SOUTH LINE OF SAID SECTION 9; THENCE CONTINUING NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 8768.41 FEET AND A CENTRAL ANGLE OF 04°47'47" FOR 734.03 FEET TO A POINT ON THE EAST LINE OF SAID SW/4 OF SECTION 9; THENCE SOUTH 01°06'46" EAST ALONG SAID EAST LINE AND ALONG THE EAST LINE OF SAID NW/4 OF SECTION 16 FOR 2217.52 FEET; THENCE SOUTH 89°59'15" WEST FOR 2599.77 FEET; THENCE NORTH 00°07'49" WEST FOR 452.12 FEET; THENCE NORTH 10°55'49" WEST FOR 190.77; THENCE NORTH 00°07'49" WEST FOR 517.05 FEET; THENCE NORTH 89°59'15" EAST FOR 166.96 FEET; THENCE SOUTH 34°38'12" EAST FOR 381.19 FEET; THENCE SOUTH 89°54'10" EAST FOR 229.61 FEET; THENCE NORTH 35°37'35" EAST FOR 377.07 FEET; THENCE NORTH 00°24'43" WEST FOR 573.69 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, CONTAINING 97.830 ACRES MORE OR LESS.

REAL PROPERTY CERTIFICATION

WE, SISEMORE WEISZ & ASSOCIATES, INC., HEREBY CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED.

BY: DEAN ROBINSON
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1146

DATE: 12-18-01
APPENDIX B-2

Proposed Permit Area Legal Descriptions
WASTE DISPOSAL BOUNDARY LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIXTEEN (16), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16; THENCE SOUTH 01°05'39" EAST ALONG THE WESTERLY LINE OF THE NW/4 FOR 848.78 FEET; THENCE NORTH 88°54'21" EAST FOR 226.99 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 61°42'19" EAST FOR 388.49 FEET; THENCE NORTH 67°59'51" EAST FOR 474.23 FEET; THENCE NORTH 79°16'18" EAST FOR 86.44 FEET; THENCE NORTH 83°05'01" EAST FOR 102.42 FEET; THENCE NORTH 83°08'55" EAST FOR 75.06 FEET; THENCE NORTH 78°51'56" EAST FOR 166.98 FEET; THENCE NORTH 71°13'18" EAST FOR 140.21 FEET; THENCE NORTH 74°20'46" EAST FOR 45.33 FEET; THENCE NORTH 80°49'31" EAST FOR 105.32 FEET; THENCE NORTH 64°34'12" EAST FOR 211.78 FEET; THENCE NORTH 39°22'30" EAST FOR 165.99 FEET; THENCE NORTH 73°57'12" EAST FOR 515.20 FEET; THENCE SOUTH 04°31'49" EAST FOR 256.52 FEET; THENCE SOUTH 04°46'23" EAST FOR 63.43 FEET; THENCE SOUTH 03°32'37" EAST FOR 134.22 FEET; THENCE SOUTH 00°59'16" EAST FOR 114.52 FEET; THENCE SOUTH 01°56'06" EAST FOR 147.52 FEET; THENCE SOUTH 01°27'44" EAST FOR 56.77 FEET; THENCE SOUTH 00°11'41" WEST FOR 149.24 FEET; THENCE SOUTH 00°12'33" EAST FOR 100.00 FEET; THENCE SOUTH 00°11'47" EAST FOR 100.00 FEET; THENCE SOUTH 00°00'43" EAST FOR 100.00 FEET; THENCE SOUTH 00°06'25" WEST FOR 441.21 FEET; THENCE SOUTH 00°00'02" EAST FOR 937.64 FEET; THENCE SOUTH 88°34'25" WEST FOR 2295.52 FEET; THENCE NORTH 00°43'03" WEST FOR 1290.48 FEET; THENCE NORTH 01°05'11" WEST FOR 499.26 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 5,107,943 SQUARE FEET OR 117.262 ACRES, MORE OR LESS.

WASTE DISPOSAL BOUNDARY LEGAL DESCRIPTION CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE WASTE DISPOSAL BOUNDARY AS DESCRIBED. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

6.04.18
DATE

SISEMORE WEISZ & ASSOCIATES, INC.
BY DEAN ROBINSON

DEAN ROBINSON
REG. NO. 1194146 STATE OF OKLAHOMA
C. 2018032421
EXPIRES 6.04.20

W:\12763.30\LETTERHEAD-WASTE.doc
6/04/18 agm
SITE PERMIT BOUNDARY LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINE (9) AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIXTEEN (16), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, THE SAME BEING THE SOUTHWEST CORNER OF SECTION 9; THENCE SOUTH 01°05'39" EAST ALONG THE WESTERLY LINE OF THE NW/4 FOR 818.26 FEET; THENCE NORTH 88°54'21" EAST FOR 52.75 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 88°54'13" EAST FOR 124.25 FEET; THENCE NORTH 61°42'19" EAST FOR 421.75 FEET; THENCE NORTH 57°59'51" EAST FOR 339.39 FEET; THENCE NORTH 00°02'43" WEST FOR 277.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 266 AND A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 80°18'13" EAST, WITH A CENTRAL ANGLE OF 11°58'31"", A RADIUS OF 8769.40 FEET, A CHORD BEARING OF NORTH 74°18'58" EAST, A CHORD DISTANCE OF 1829.55 FEET, FOR AN ARC LENGTH OF 1832.89 FEET TO A POINT ON THE EASTERLY LINE OF THE SW/4 OF SECTION 9; THENCE SOUTH 01°22'27" EAST ALONG SAID EASTERLY LINE OF THE SW/4 FOR 226.70 FEET TO THE SOUTHEAST CORNER OF SAID SW/4, THE SAME BEING THE NORTHEAST CORNER OF THE NW/4 OF SECTION 16; THENCE SOUTH 01°05'45" EAST ALONG THE EASTERLY LINE OF THE NW/4, AND ALONG THE EASTERLY LINE OF THE SW/4 OF SECTION 16, FOR 2781.69 FEET; THENCE SOUTH 88°34'25" WEST FOR 2593.27 FEET; THENCE NORTH 01°05'39" WEST PARALLEL TO THE WESTERLY LINE OF SECTION 16 FOR 1971.19 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 6,608,682 SQUARE FEET OR 151.714 ACRES, MORE OR LESS.

SITE PERMIT BOUNDARY LEGAL DESCRIPTION CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEIZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS AND IS A TRUE REPRESENTATION OF THE SITE PERMIT BOUNDARY AS DESCRIBED. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

DEAN ROBINSON
REG. LAND SURVEYOR
STATE OF OKLAHOMA
C. A. NO: 46110
EXPIRES: 6/4/18

DATE: 6.04.18
SECTION 16, T-20-N, R-14-E

Unplatted

Exhibit Drawing
of
Part of Sections 9 & 16,
T-20-N, R-14-E

City of Tulsa, Tulsa Co., State of Oklahoma
APPENDIX B-3

Borrow Area Legal Descriptions
SPECIAL WARRANTY DEED

THIS DEED OF CONVEYANCE made effective as of October 13, 2002, by and between ASHLAND INC., a Kentucky corporation having a tax mailing address of P.O. Box 14000, Lexington, Kentucky 40512, Attention: Corporate Real Estate Department, hereinafter called “GRANTOR,” and APAC-OKLAHOMA, INC., a Delaware corporation having a tax mailing address of P.O. Box 14000, Lexington, Kentucky 40512, Attention: Corporate Real Estate Department, hereinafter called “GRANTEE.”

WITNESSETH:

THAT as a contribution by GRANTOR to the capital of GRANTEE, a wholly owned subsidiary of GRANTOR, the receipt and adequacy of which is hereby acknowledged, GRANTOR hereby grants, assigns, sells and conveys to GRANTEE, its undivided 72.53% interest in that certain tract or parcel of land located in Tulsa County, Oklahoma and made described on Schedule A, which is attached hereto and made a part hereof, together with all buildings, structures and improvements constructed thereon.

TO HAVE AND TO HOLD the same property, as described on Schedule A, with the appurtenances, unto the GRANTEE, its successors and assigns, FOREVER.

This conveyance is made subject to all legal highways, zoning laws, ordinances and regulations and to all restrictions, easements, rights-of-way, exceptions, reservations and conditions contained in prior instruments of record in the chain of title to the property conveyed hereby.

GRANTOR, insofar as it has the legal right to do so, does further release, remise and forever quitclaim unto GRANTEE all of GRANTOR’s right, title and interest, if any, in and to all roadways, streets, alleys, easements and rights-of-way adjacent to or abutting on the property conveyed hereby.

GRANTOR covenants and warrants with said GRANTEE that GRANTOR shall (except for the property quitclaimed by the immediately preceding paragraph) warrant and defend the property unto the GRANTEE, its successors and assigns, and the lawful claims of all persons claiming by, through or under GRANTOR, but no other, against the claims and demands of GRANTOR.

The terms and provisions contained herein shall be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.

Deeds Ashland-APC, Oklahoma 031, 111-0012

First American Title & Abatzie, Inc.
625 S. Detroit
Tulsa, OK 74120
IN WITNESS WHEREOF, GRANTOR has caused its name to be subscribed hereto by its duly authorized officer as of the day and year first above written.

WITNESSES:

ASHLAND INC.

[Signature]

Vice President

By: [Signature]

WITNESSES:

Klein

Judith O. Johnson

STATE OF Kentucky

COUNTY OF Fayette

On this 14th day of January 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Samuel R. Mitchell, Jr., the Vice President of ASHLAND INC., a Kentucky corporation, and that he is such Vice President, being authorized to so do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

Wanda Spoo Preddie
Notary Public

My Commission Expires: 

[Signature]

This instrument Prepared By:

[Signature]

David B. McDougall, Attorney
ASHLAND INC.
3000 Harver Parkway
Lexington, Kentucky 40509

Notary Seal

[Redacted]
EXHIBIT A

LEGAL DESCRIPTION

The Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) AND the West Half of the Northeast Quarter of the Southwest Quarter (W ½ NE ½ SW ¼) of Section Twenty-one (21), Township Twenty (20) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

LESS AND EXCEPT: BEGINNING at the West Quarter Corner of Section 21; THENCE South 89° 50' 16.66" East a distance of 1991.67 feet to a point; THENCE due South a distance of 17.00 feet to a point; THENCE North 87° 43' 21.66" West a distance of 189.65 feet to a point; THENCE North 89° 50' 16.66" West a distance of 1324.54 feet to a point; THENCE due South a distance of 446.00 feet to a point; THENCE North 89° 50' 16.66" West a distance of 477.63 feet to a point on the West Line of Section 21; THENCE due North a distance of 456.00 feet to the POINT OF BEGINNING.
Schedule A

Amount of Insurance: $440,000.00

Date of Policy: October 12, 2000 @ 2:38 P.M.

Insured: ASHLAND INC. 72.5% Interest and APAC-OKLAHOMA, INC. 27.5% Interest

1. Title to the fee simple estate in said land is at the effective date hereof vested in:
   ASHLAND INC. 72.5% Interest and APAC-OKLAHOMA, INC. 27.5% Interest

2. The land referred to in this policy is described as follows:

   The Northeast Quarter of the Southwest Quarter (NW¼ SW¼) AND the West Half of the Northeast Quarter of the Southwest Quarter (W½ NE¼ SW¼) of Section Twenty-one (21), Township Twenty (20) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

   LESS AND EXCEPT: BEGINNING at the West Quarter Corner of Section 21; THENCE South 89° 50' 16.66" East a distance of 1991.67 feet to a point; THENCE due South a distance of 17.00 feet to a point; THENCE North 87° 43' 21.66" West a distance of 189.65 feet to a point; THENCE North 89° 50' 16.66" West a distance of 1324.54 feet to a point; THENCE due South a distance of 446.00 feet to a point; THENCE North 89° 50' 16.66" West a distance of 477.63 feet to a point on the West Line of Section 21; THENCE due North a distance of 456.00 feet to the POINT OF BEGINNING.

Schedule B

This policy does not insure against loss or damage by reason of the following:

1. Easements, or claims of easements, not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
3. Rights of parties in possession created by unrecorded lease agreement executed by and between APAC-Oklahoma, Inc. and Ashland, Inc.
4. Ad Valorem Tax for 2000, amount of which is not ascertained, due or payable.
5. All interest in and to all oil, gas, coal, metallic ores or other minerals in and underlying the insured premises, together with all rights, privileges, and estates relating thereto.
6. Statutory right of way along the West property line.
8. Annexation to Tulsa Ordinance No. 10399 filed April 7, 1966 recorded in Book 3698 page 237.
9. Easement in favor of Southwestern Bell Telephone Company filed October 20, 1966 recorded in Book 3766 page 646.
12. Water Easement in favor of the City of Tulsa filed April 12, 1988 recorded in Book 5092 page 2347.

FIRST AMERICAN TITLE & ABSTRACT COMPANY

BY: Rosemary Clinton DTA #13489
Authorized Signature #400121
APPENDIX C

Legal Right to Property Information
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- Appendix C-1  Property Ownership Information
- Appendix C-2  Temporary Easement for Access
APPENDIX C-1

Property Ownership Information
STATE OF GEORGIA  )
COUNTY OF Dekalb  )

AFFIDAVIT OF MERGER

Personally appeared before me William B. Miller, who being first duly sworn states as follows:

That he is the General Counsel for Oldcastle, Inc., of which APAC-Central, Inc., is an indirect, wholly owned subsidiary;

That APAC-Oklahoma, Inc., formerly Delaware corporation, was merged into APAC-Arkansas, Inc., pursuant to a certain Plan of Merger filed with the Delaware Secretary of State on December 7, 2009, and that a true and correct copy of the Certificate of Merger evidencing such merger and filed with the Oklahoma Secretary of State is attached hereto as Exhibit “A”; and

That APAC-Arkansas, Inc., formerly a Delaware corporation, subsequently amended its name from APAC-Arkansas, Inc. to APAC-Central, Inc. effective December 26, 2009, and that a true and correct copy of the Certificate of Amendment filed with the Arkansas Secretary of State evidencing such amendment is attached hereto as Exhibit “B”; and

That pursuant to the Agreement of Merger referenced above, APAC-Central, Inc. was the surviving corporation of said merger and became the successor in interest to all property, real and personal, which was owned by APAC-Oklahoma, Inc., as of the effective date of the merger, including (but not limited to) the real estate identified in Exhibit “C” attached hereto.

FURTHER, your Affiant sayeth not.

By ____________________________
William B. Miller, General Counsel
Oldcastle, Inc.
STATE OF GEORGIA

COUNTY OF [County Name]

This instrument was acknowledged before me on [Date], 2017, by William B. Miller as General Counsel for Oldcastle, Inc.

[Signature]
Notary Public in and for State of Georgia

[Seal]

(affix seal above)
OFFICE OF THE SECRETARY OF STATE

STATE OF OKLAHOMA

CERTIFICATE OF MERGER

WHEREAS,

APAC-CENTRAL, INC.

a corporation organized under the laws of the State of DELAWARE,
has filed in the office of the Secretary of State duly authenticated evidence of a merger
whereby said corporation is the survivor, as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned Secretary of State of Oklahoma, by virtue of
the powers vested in me by law, do hereby issue this Certificate evidencing such merger.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed
the Great Seal of the State of Oklahoma.

Filed in the City of Oklahoma City this
26th day of February, 2010.

[Signature]
Secretary Of State
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE CERTIFICATE OF MERGER, WHICH MERGES:

"APAC-OKLAHOMA, INC.", A DELAWARE CORPORATION,

WITH AND INTO "APAC-ARKANSAS, INC." UNDER THE NAME OF

"APAC-ARKANSAS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, WAS RECEIVED AND FILED IN THIS OFFICE THE SEVENTH DAY OF DECEMBER, A.D. 2009, AT 3:11 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION SHALL BE GOVERNED BY THE LAWS OF THE STATE OF DELAWARE.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-SIXTH DAY OF DECEMBER, A.D. 2009, AT 12:01 O'CLOCK A.M.
Charlie Daniels  
SECRETARY OF STATE

To All to Whom These Presents Shall Come, Greetings:

I, Charlie Daniels, Secretary of State of Arkansas, do hereby certify that the following and hereto attached instrument of writing is a true and perfect copy of

Articles of Amendment

of

APAC-ARKANSAS, INC.

changing the name to

APAC-CENTRAL, INC.

filed in this office

February 5, 2010.

In Testimony Whereof, I have hereunto set my hand and affixed my official Seal. Done at my office in the City of Little Rock, this 5th day of February 2010.

[Signature]
Secretary of State
Application for Amended Certificate of Aut  

The undersigned pursuant to the Arkansas Business Corporation Act of 1987, (Act 958 of 1987), sets forth the following:

1. APAC-Arkansas, Inc. is a foreign corporation authorized to transact business within the State of Arkansas.

2. The Certificate of Authority should be amended as follows:
   - Corporate name: APAC-Central, Inc.
   - Fictitious name: 
   - (The corporation may use a fictitious name to transact business in Arkansas if its real name is unavailable and it delivers to the Secretary of State for filing a copy of the resolution of its Board of Directors certified by the Secretary adopting a fictitious name.
   - Period of Duration: 
   - State or Country of Incorporation: Delaware

3. The state, territory or foreign country under whose laws the corporation was incorporated is: Delaware


5. The nature of the business of the corporation and the object or purposes proposed to be transacted, promoted or carried on by it are: including but not limited to construction, road construction, and construction material sales

6. The name and street address of the registered agent of the corporation upon whom Service of Process is authorized to be made in Arkansas is:
   - Street Address: 124 West Capitol Avenue, Ste 1900
   - City: Little Rock
   - State: Arkansas
   - ZIP: 72201

7. The address of the general office or principal place of business of the corporation in the jurisdiction under whose laws the corporation was incorporated is:
   - 1209 Orange Street, Wilmington, Delaware 19801

8. The number and par value, if any, of shares of the corporation's capital stock owned or to be owned by residents of this state: $0.00

9. Value of assets in Arkansas: $142,857,325.00 Total Value of all assets (including Arkansas): $246,285,108.00

10. The foreign corporation shall deliver with the completed application an original certified copy of the amendment dated within 60 days of our receipt duly authorized by the Secretary of State or other official having custody of corporate records in the state or country under whose laws it is incorporated.

11. A filing fee of $300.00 is submitted herewith in accordance with Act 958 of 1987.

I understand that knowingly signing a false document with the intent to file with the Arkansas Secretary of State is a Class C misdemeanor and is punishable by a fine up to $100.00 and/or imprisonment up to 30 days.

William B. Miller, Vice President

Authorized Signature

Fee: $300.00 payable to Arkansas Secretary of State

F-01 A/Rev. 4/06

AR018 - 06/05/2007 CT System Online
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "APAC-ARKANSAS, INC.", CHANGING ITS NAME FROM "APAC-ARKANSAS, INC." TO "APAC-CENTRAL, INC.", FILED IN THIS OFFICE ON THE SEVENTH DAY OF DECEMBER, A.D. 2009, AT 3:44 O’CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE TWENTY-SIXTH DAY OF DECEMBER, A.D. 2009, AT 12:02 O’CLOCK A.M.
Certificate of Amendment of  
Certificate of Incorporation of  
APAC-Arkansas, Inc.

APAC-Arkansas, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware ("the Corporation"), does hereby certify:

FIRST: By unanimous action of the Board of Directors of the Corporation, the following resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said corporation as follows:

RESOLVED, that it is advisable that the Certificate of Incorporation of the Corporation be amended by changing the Article thereof numbered First so that, as amended, said Article shall be and read as follows:

"The name of the corporation shall be APAC-Central, Inc."

FURTHER RESOLVED, that it is advisable that the Certificate of Incorporation be amended further to delete the name "APAC-Arkansas, Inc." wherever same shall appear and substitute therefor the name "APAC-Central, Inc."

SECOND: That APAC Holdings, Inc., the sole stockholder of the Corporation, approved the amendments to the Certificate of Incorporation proposed by the Corporation's Board of Directors.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said corporation shall not be reduced under or by reason of said amendment.

FIFTH: That this Certificate of Amendment shall become effective on December 26, 2009, at 12:02 a.m.

IN WITNESS WHEREOF, said APAC-Arkansas, Inc. has caused this certificate to be signed by William B. Miller, an Authorized Officer, this 30th day of November, 2009.

APAC-ARKANSAS, INC.

[Signature]

William B. Miller  
Vice President
Tulsa County Clerk - EARLENE WILSON
03024223 02/19/2013 15:30/1863-1865
Earlene Wilson
17.00

SPECIAL WARRANTY DEED

THIS DEED OF CONVEYANCE made effective as of October 13, 2002, by and between
AMHIELD INC., a Kentucky corporation having a tax mailing address of P. O. Box 14000, Lexington,
Ky, 40512, Attention: Corporate Real Estate Department, hereinafter called "GRANTOR," and
APAC-OKLAHOMA, INC., a Delaware corporation having a tax mailing address of P. O. Box 14000,
Lexington, Kentucky 40512, Attention: Corporate Real Estate Department, hereinafter called
"GRANTEE."

WITNESSETH:

THAT, as a contribution by GRANTOR, to the capital of GRANTEE, a wholly owned subsidiary of
GRANTOR, the receipt and adequacy of which is hereby acknowledged, GRANTOR hereby grants,
transfers, conveys and assigns to GRANTEE, an undivided 72.5% interest in that certain tract or parcel of
land located in Tulsa County, Oklahoma and more particularly described on Schedule A, which is attached
hereeto and made a part hereof, together with all buildings, structures and improvements thereon

1) HAVE AND TO HOLD the same property, as described on Schedule A, with the appurtenances,
unto the GRANTEE, its successors and assigns, FOREVER.

This conveyance is made subject to all legal highway, zoning laws, ordinances and regulations and
to all restrictions, easements, rights-of-way, exceptions, reservations and conditions contained in prior
instruments of record in the chain of title to the property conveyed hereby.

GRANTOR, for so far as it has the legal right to do so, does further release, remise and forever
quitclaim unto GRANTEE all of GRANTOR's right, title and interest, if any, in and to all roadways, streets,
alleys, easements and rights-of-way adjacent to or shutting on the property conveyed hereby.

GRANTOR covenants and warrants with said GRANTEE that GRANTOR shall (except for the
property quitclaimed by the immediately preceding paragraph) warrant and defend the property unto the
GRANTEE, its successors and assigns, and the lawful claims of all persons claiming by, through or under
GRANTOR, but no other, against the claims and demands of GRANTOR.

The terms and provisions contained herein shall be binding upon and inure to the benefit of the
parties hereto, their respective successors and assigns.

Henderson Real Estate
525 S. Detroit
Tulsa, OK 74120

0052.
IN WITNESS WHEREOF, GRANTOR has caused his name to be subscribed herein by its duly authorized officer as of the day and year first above written.

WITNESSES:

[Signature]

[Signature]

ASHLAND INC.

[Signature]

Vice President

STATE OF Kentucky

COUNTY OF Fayette

On this 14th day of January 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Samuel L. Mitchell Jr., the Vice President of ASHLAND INC., a Kentucky corporation, and that he as such Vice President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

Wanda Sue Price

Notary Public

[Stamp]

My Commission Expires: August 10, 2005

This Instrument Prepared By:

[Signature]

Wanda B. Mudryk, Attorney
ASHLAND INC.
3499 Hazen Parkway
Lexington, Kentucky 40509

[Stamp]
EXHIBIT A

LEGAL DESCRIPTION

The Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) AND the West Half of the Northeast Quarter of the Southwest Quarter (W ½ NE ¼ SW ¼) of Section Twenty-one (21), Township Twenty (20) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof.

LESS AND EXCEPT: BEGINNING at the West Quarter Corner of Section 21: THENCE South 89° 50' 16.66" East a distance of 1991.67 feet to a point; THENCE due South a distance of 17.00 feet to a point; THENCE North 89° 43' 21.66" West a distance of 109.65 feet to a point; THENCE North 89° 50' 16.66" West a distance of 1324.54 feet to a point; THENCE due South a distance of 446.00 feet to a point; THENCE North 89° 50' 16.66" West a distance of 477.63 feet to a point on the West line of Section 21. THENCE due North a distance of 456.00 feet to the POINT OF BEGINNING.
APPENDIX C-2

Temporary Easement for Access
TEMPORARY EASEMENT FOR ACCESS

Pursuant to the Oklahoma Environmental Quality Code (27A O.S. §2-1-101 et seq., including the Solid Waste Management Act, the rules promulgated thereunder, and in accordance with the conditions and requirements of Permit No. 3572049, issued by the Oklahoma State Department of Health, the predecessor in interest to the Oklahoma Department of Environmental Quality (DEQ) on November 16, 2017, APAC-Central, Inc., its successors and assigns, hereinafter referred to as Grantor, does hereby grant unto the DEQ, including its contractors, employees, and its successors and assigns, the right of access for purposes of performing closure, post-closure monitoring, or corrective action in the event of default by the owner or operator. The Easement is granted over and across the following described land, situated in Tulsa County, State of Oklahoma:

Tract 1 (the permitted area):

NE ¼ of section 16 Township 20 Range 14E; and the SW ¼ of section 16 township 20 Range 14E; and the west ½ of SE ¼ of section 20 Range 14E, more particularly described as the permitted area of APAC-Central, Inc. C&D landfill, Oklahoma Department of Environmental Quality Permit Number 3572049.

Tract 2 (the borrow area):

The Northwest Quarter of the Southwest Quarter (NW ¼ SW 1/4 ) and the west Half of the Northeast Quarter of the Southwest Quarter (W ½ NE ¼ SW ¼ of section 21, township 20 North, Range 14 East of the Indian base and Meridian, Tulsa County, state of Oklahoma, according to the U.S. Government Survey thereof.

This Temporary Easement for Access is given subject to the following conditions:

1. The Grantor hereby grants unto the DEQ an easement and right-of-way over and across Tract 1, above set out, for access to said Tract 1 for the purposes of conducting closure and post-closure activities and/or corrective action as prescribed by the laws of the State of Oklahoma and Rules of the DEQ;

2. The Grantor hereby grants unto the DEQ an easement and right-of-way over and across Tract 2, above set out, for access to said Tract 2 for the purposes of utilizing borrow material while performing closure and post-closure activities and/or corrective action as prescribed by the laws of the State of Oklahoma and Rules of the DEQ;

3. This Easement is temporary and shall become null and void upon certification by the DEQ that post-closure and/or corrective action has been properly completed.
This Easement shall be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand this 16th day of November, 2017.

By: [Signature]
Title: [Title]

ACKNOWLEDGMENT

STATE OF OKLAHOMA ) ) SS:
COUNTY OF Tulsa ) )

Before me, the undersigned, a Notary Public within and for said County and State, on this 16th day of November, 2017, personally appeared [Name], to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed, for the uses and purposes therein set forth.

Witness my hand and official seal the date above written.

[Notary Signature]
Notary Public

My commission expires:

1-25-18
APPENDIX D

Location Restriction Correspondence
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Appendix D-1  Scenic River Correspondence
Appendix D-2  Public Recreation or Natural Preservation Area Correspondence
Appendix D-3  Endangered or Threatened Species Correspondence
Appendix D-4  Public Water Supply Correspondence
Appendix D-5  Wetlands Correspondence
Appendix D-6  Airport Correspondence
APPENDIX D-1

Scenic River Correspondence
January 20, 2017

Registered Mail Return Receipt

Mr. Edward H. Fite, III
Administrator
Grand River Dam Authority
Scenic Rivers Operations
P.O. Box 292
Tahlequah, Oklahoma 74465-0292

RE: Scenic River Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Fite:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5. OAC 252:515-5-31(a) states that "no area within the permit boundary of a new solid waste disposal facility shall be located within the drainage basin of any river designated under the Oklahoma Scenic Rivers Commission Act."

A review of available information indicates that the proposed expansion area is located within the Bird Creek drainage basin and is not located within a drainage basin of a scenic river as designated by the Oklahoma Scenic Rivers Commission Act. However, in order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Scenic Rivers Operations stating that the proposed site is not located within the drainage basin of any river designated by the Oklahoma Scenic Rivers Commission Act and that the proposed expansion is not expected to have any adverse impacts on any of the Oklahoma scenic river areas.
If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
   Mr. Biff Huckaby, APAC-Central, Inc.
APPENDIX D-2

Public Recreation or Natural Preservation Area Correspondence
November 22, 2016

Registered Mail Return Receipt

Ms. Lucy Dolman
Director
Tulsa Parks and Recreation Department
City of Tulsa
175 East 2nd Street, Suite 570
Tulsa, Oklahoma 74103-3216

RE: Public Recreation or Natural Preservation Area Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Ms. Dolman:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5-31. OAC 252:515-5-31(b) states that “no area within the permit boundary of a new solid waste disposal facility, or expansion of the permit boundary of an existing solid waste disposal facility, shall be located within one-half mile of any area formally dedicated and managed for public recreation or natural preservation by a federal, state, or local government agency.”

A review of available information has not identified any public recreation or natural preservation areas within one-half mile of the proposed expansion area. The Redbud Valley Nature Preserve was identified as the nearest such facility and is located at least one-half mile from the eastern boundary of the existing landfill and proposed expansion area as shown in Figure 2. In order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Tulsa Parks and Recreation Department stating that there are no parks and/or recreational
facilities within one-half mile of the proposed site. In the event that the Tulsa Parks and Recreation Department does manage a recreational area located within one-half mile of the site, it is requested that a statement be provided as to whether or not the proposed development would be expected to adversely affect the area.

If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
FIGURE 2

SCALE IN FEET

1 MILE LANDFILL BOUNDARY

REDBUD VALLEY NATURE PRESERVE

BIRD CREEK

EXISTING LANDFILL AREA

PROPOSED EXPANSION AREA

APAC PROPERTY BOUNDARY

PROPOSED LANDFILL EXPANSION
APAC EAST QUARRY C&D LANDFILL
TULSA, OKLAHOMA
1. Article Addressed to:
   MS. Lucy Delman
   Tulsa Parks and Recreation Dept
   City of Tulsa
   175 East 2nd Street, Ste B70
   Tulsa, OK 74105-3216

2. Article Number (Transfer from service label)
   7016 0750 0000 0969 1931

3. Service Type
   - □ Adult Signature
   - □ Adult Signature Restricted Delivery
   - □ Certified Mail®
   - □ Certified Mail Restricted Delivery
   - □ Collect on Delivery
   - □ Collect on Delivery Restricted Delivery
   - □ Insured Mail
   - □ Insured Mail Restricted Delivery
   - □ Priority Mail Express®
   - □ Registered Mail™
   - □ Registered Mail Restricted Delivery
   - □ Return Receipt for Merchandise
   - □ Signature Confirmation™
   - □ Signature Confirmation Restricted Delivery
   - □ Certified Mail
   - □ Certified Mail Restricted Delivery
   - □ Insured Mail
   - □ Insured Mail Restricted Delivery

3. Signature:
   E. Jefferson

4. D. Is delivery address different from item 1? □ Yes
   If YES, enter delivery address below: □ No
November 22, 2016

Registered Mail Return Receipt

Mr. Eddie Streeter  
Regional Director  
Eastern Oklahoma Regional Office  
Bureau of Indian Affairs  
P.O. Box 8002  
Muskogee, Oklahoma 74401-6201

RE: Public Recreation or Natural Preservation Area Statement  
APAC East Quarry C&D Landfill Expansion  
Tulsa County, Oklahoma

Dear Mr. Streeter:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5-31. OAC 252:515-5-31(b) states that “no area within the permit boundary of a new solid waste disposal facility, or expansion of the permit boundary of an existing solid waste disposal facility, shall be located within one-half mile of any area formally dedicated and managed for public recreation or natural preservation by a federal, state, or local government agency.”

A review of available information has not identified any public recreation or natural preservation areas within one-half mile of the proposed expansion area. However, in order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Bureau of Indian Affairs stating that there are no parks, recreational facilities, and/or sensitive archeological sites within one-half mile of the proposed expansion area. In the event that a sensitive area is identified within one-half mile of the site, it is requested that a statement be
providing as to whether or not the proposed development would be expected to adversely affect the area.

If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
Mr. Deren M. Ertugrul, P.E.
A & M Engineering and Environmental Services, Inc.
100010 E 16th Street
Tulsa, OK 744128-4713

Dear Mr. Ertugrul:

On November 25, 2016, the Bureau of Indian Affairs, Eastern Oklahoma Regional Office, received a solicitation for information or comments from A & M Engineering & Environmental Services, Inc., concerning expansion of the existing APAC East Quarry Construction and Demolition Landfill. The project area is located in Section 16; Township 20 North; Range 14 East in Tulsa County, Oklahoma.

Two Federally recognized Tribes and the City of Tulsa have been provided a copy of your letter and map. As the Tribes may have environmental and/or cultural resources concerns relating to this action, it is recommended that A & M Engineering & Environmental Services, Inc. coordinate directly with the Tribes on any of their concerns. The contact addresses are enclosed.

The map you provided shows that the edge of the one-half mile buffer drawn around the north portion of your property is very close to the City of Tulsa’s Redbud Valley Nature Preserve. You may wish to contact appropriate city officials in charge of the Preserve to ensure that no impacts will occur due to this or future expansions.

The one-half mile buffer also extends across Bird Creek which is designated in federally-approved water quality standards as a public and private water supply, warm water aquatic community and primary body contact recreation stream. These beneficial uses have numeric and narrative instream standards for bacteria and other constituents. To determine how these standards may apply to your project, you should contact the Oklahoma Department of Environmental Quality (ODEQ) Water Quality Division.

If additional information is required, please contact Ms. Jeannine Hale, Division Chief, Division of Environmental and Cultural Resources Management, at (918) 781-4660.

Respectfully,

ACTING Regional Director
Enclosure
Raelynn Butler
Tribal Historic Preservation Officer
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447
Phone: (918) 732-7600
Fax: (918) 756-2911

Dr. Andrea Hunter
Tribal Historic Preservation Officer
Osage Nation
627 Grandview Avenue
Pawhuska, OK 74056
Phone: (918) 287-5432
Fax: (918) 287-2257
February 13, 2017

Registered Mail Return Receipt

Raelynn Butler
Tribal Historic Preservation Officer
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, Oklahoma 74447

RE:  Public Recreation or Natural Preservation Area Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Ms. Butler:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located within the City of Tulsa city limits, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5-31. OAC 252:515-5-31(b) states that “no area within the permit boundary of a new solid waste disposal facility, or expansion of the permit boundary of an existing solid waste disposal facility, shall be located within one-half mile of any area formally dedicated and managed for public recreation or natural preservation by a federal, state, or local government agency.”

A review of available information has not identified any public recreation or natural preservation areas within one-half mile of the proposed expansion area. However, in order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Muscogee (Creek) Nation stating that there are no parks, recreational facilities, and/or sensitive archeological sites within one-half mile of the proposed expansion area. In the event that a sensitive area is identified within one-half mile of the site, it is requested that a statement be
provided as to whether or not the proposed development would be expected to adversely affect
the area.

If you have any questions regarding this request, please do not hesitate to contact me by
telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very
much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
Mr. Biff Huckaby, APAC-Central, Inc.
FIGURE 2

SCALE IN FEET

1 MILE LANDFILL BOUNDARY

EXISTING LANDFILL AREA

PROPOSED EXPANSION AREA

APAC PROPERTY BOUNDARY

BIRD CREEK

REDBUD VALLEY NATURE PRESERVE

EXISTING LANDFILL AREA

PROPOSED EXPANSION AREA

APAC PROPERTY BOUNDARY

TOPOGRAPHIC SITE MAP

PROPOSED LANDFILL EXPANSION

APAC EAST QUARRY C&D LANDFILL

TULSA, OKLAHOMA
1. Article Addressed to:
   Ms. Ralynn Butler
   Tribut Electric Replacement
   Mullogheed Creek Nation
   P.O. Box 580
   Okmulgee, OK 74447

2. Article Number (Transfer from service label)
   7016 0750 0000 0969 1856

SEND OUT THIS SECTION

Complete items 1, 2, and 3.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature
   [Signature]
   [Agent]
   [Address]

B. Received by (Printed Name)
   [Name]
   [Date of Delivery]

D. Is delivery address different from item 1?
   [Yes]
   [No]
   If YES, enter delivery address below:

3. Service Type
   Adult Signature
   Adult Signature Restricted Delivery
   Registered Mail
   Certified Mail Restricted Delivery
   Collect on Delivery
   Collect on Delivery Restricted Delivery
   Priority Mail Express
   Registered Mail
   Registered Mail Restricted Delivery
   Return Receipt forMerchandis
   Signature Confirmation
   Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053
November 22, 2016

Registered Mail Return Receipt

Mr. Robert L. Brooks
State Archeologist
Oklahoma Archeological Survey
111 East Chesapeake
Norman, Oklahoma 73019-5111

RE: Public Recreation or Natural Preservation Area Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Brooks:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

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A review of available information has not identified any public recreation or natural preservation areas within one-half mile of the proposed expansion area. However, in order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Oklahoma Archeological Survey stating that there are no parks, recreational facilities, and/or sensitive archeological sites within one-half mile of the proposed expansion area. In the event that a sensitive area is identified within one-half mile of the site, it is requested that a statement
be provided as to whether or not the proposed development would be expected to adversely affect the area.

If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
FIGURE 2

SCALE IN FEET

1 MILE LANDFILL BOUNDARY

LANDFILL

BOUNDARY

REDBUD VALLEY NATURE PRESERVE

EXISTING LANDFILL AREA

PROPOSED EXPANSION AREA

BIRD CREEK

APAC PROPERTY BOUNDARY

EXISTING LANDFILL AREA

PROPOSED EXPANSION AREA

APAC EAST QUARRY C&D LANDFILL

TULSA, OKLAHOMA

TOPOGRAPHIC SITE MAP

A & M ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
November 28, 2016

Deren M. Ertugrul, P.E.
A&M Engineering and Environmental Services, Inc.
10010 East 16th Street
Tulsa, Oklahoma 74128-4713

Re: ODEQ A &M Engineering, APAC Expand Landfill by 55 Acres – APAC East Quarry
C &D Landfill Expansion.
Legal Description: S ½ NW ¼; N ½ N ½ SW ¼ of Section 16, T20N, R14E, Tulsa
County, Oklahoma.

Dear Mr. Ertugrul:

The Community Assistance Program staff of the Oklahoma Archeological Survey has reviewed
the above referenced project in order to identify areas that may potentially contain prehistoric or
historic archeological materials (historic properties). The location of your project has been
crosschecked with the state site files containing approximately 23,000 archaeological sites, which
are currently recorded for the state of Oklahoma. No Sites are listed as occurring within your
project area, and based on the topographic and hydrologic setting, no archeological materials are
likely to be encountered. Thus an archeological field inspection is not considered necessary.
Please contact this office at (405) 325-7211 if buried archeological materials such as chipped
stone tools, pottery, bone, historic crockery, glass, metal items or building materials are exposed
during construction activities.

This environmental review and evaluation is done in cooperation with the State Historic
Preservation’s Office and the Oklahoma Historical Society. The responsible federal agency or
their official delegate must also have a letter from that office to document consultation pursuant
to Section 106 of the National Historic Preservation Act.

In addition to our comment on the cultural resource inventory conducted for this project, under 36
CFR Park 800.3 you are reminded to consult with the appropriate Native American tribe/groups
for any concerns they may have pertaining to this report.

Sincerely,

J. Matthew Oliver
Staff Archaeologist

Kary L. Stackelbeck
State Archaeologist

: brb
cc: SHPO
February 13, 2017

Registered Mail Return Receipt

Dr. Andrea Hunter
Tribal Historic Preservation Officer
Osage Nation
627 Grandview Avenue
Pawhuska, Oklahoma 74056

RE: Public Recreation or Natural Preservation Area Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Dr. Hunter:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located within the City of Tulsa city limits, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

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A review of available information has not identified any public recreation or natural preservation areas within one-half mile of the proposed expansion area. However, in order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Osage Nation stating that there are no parks, recreational facilities, and/or sensitive archeological sites within one-half mile of the proposed expansion area. In the event that a sensitive area is identified within one-half mile of the site, it is requested that a statement be provided as to whether or not the proposed development would be expected to adversely affect the area.
If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,

A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
TRIBAL HISTORIC PRESERVATION OFFICE

Date: February 27, 2017

RE: DOI, BIA, A & M Engineering and Environmental Services, Expansion of existing APAC East Quarry Constriction and Demolition Landfill, Tulsa County, Oklahoma

A&M Engineering & Environmental Services, Inc.
Deren M. Ertugrul
10010 E. 16th Street
Tulsa, OK 74128-4713

Dear Mr. Ertugrul,

The Osage Nation Historic Preservation Office has evaluated your submission and concurs that the proposed DOI, BIA, A & M Engineering and Environmental Services, Expansion of existing APAC East Quarry Constriction and Demolition Landfill, Tulsa County, Oklahoma most likely will not adversely affect any sacred properties and/or properties of cultural significance to the Osage Nation. The Osage Nation has no further concern with this project, with the exception below.

In accordance with the National Historic Preservation Act, (NHPA) [54 U.S.C. § 300101 et seq.] 1966, undertakings subject to the review process are referred to in 54 U.S.C. § 302706 (a), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969). The Osage Nation concurs that the A&M Engineering & Environmental Services, Inc. has fulfilled NHPA compliance by consulting with the Osage Nation Historic Preservation Office in regard to the proposed DOI, BIA, A & M Engineering and Environmental Services, Expansion of existing APAC East Quarry Constriction and Demolition Landfill, Tulsa County, Oklahoma.

The Osage Nation has vital interests in protecting its historic and ancestral cultural resources. We do not anticipate that this project will adversely impact any cultural resources or human remains protected under the NHPA, NEPA, the Native American Graves Protection and Repatriation Act, or Osage law. If, however, artifacts or human remains are discovered during project-related activities, we ask that activities cease immediately and the Osage Nation Historic Preservation Office be contacted.

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.

John Fox
Archaeologist

627 Grandview, Pawhuska, OK 74056, (918) 287-5328, Fax (918) 287-5376
APPENDIX D-3

Endangered or Threatened Species Correspondence
Consultation Code: 02EKOK00-2017-SLI-0430
Event Code: 02EKOK00-2017-E-00461
Project Name: APAC C&D Landfill

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.
A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Non-federal entities conducting activities that may result in take of listed species should consider seeking coverage under section 10 of the ESA, either through development of a Habitat Conservation Plan (HCP) or, by becoming a signatory to the General Conservation Plan (GCP) currently under development for the American burying beetle. Each of these mechanisms provides the means for obtaining a permit and coverage for incidental take of listed species during otherwise lawful activities.

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:
http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm;
http://www.towerkill.com; and

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit through our Project Review step-wise process

Attachment
Official Species List

Provided by:
Oklahoma Ecological Services Field Office
9014 EAST 21ST STREET
TULSA, OK 74129
(918) 581-7458
http://www.fws.gov/southwest/es/Oklahoma/

Consultation Code: 02EKOK00-2017-SLI-0430
Event Code: 02EKOK00-2017-E-00461

Project Type: Landfill

Project Name: APAC C&D Landfill
Project Description: Permitting for a 55-acre lateral expansion to an existing C&D Landfill located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.
Project Location Map:

**Project Coordinates:** MULTIPOLYGON (((-95.82455635070801 36.213220607939284, -95.8330750465393 36.213220607939284, -95.83309650421143 36.2163887432151, -95.82457780838013 36.2163887432151, -95.82455635070801 36.213220607939284)), -95.8330750465393 36.213220607939284, -95.83309650421143 36.2163887432151, -95.82457780838013 36.2163887432151, -95.82455635070801 36.213220607939284))

**Project Counties:** Tulsa, OK
### Endangered Species Act Species List

There are a total of 5 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the Has Critical Habitat column may or may not lie within your project area. See the Critical habitats within your project area section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

<table>
<thead>
<tr>
<th>Birds</th>
<th>Status</th>
<th>Has Critical Habitat</th>
<th>Condition(s)</th>
</tr>
</thead>
</table>
| Least tern *(Sterna antillarum)*
  Population: interior pop. | Endangered           |                     |               |
| Piping Plover *(Charadrius melodus)*
  Population: except Great Lakes watershed | Threatened           | Final designated   |               |
| Red Knot *(Calidris canutus rufa)*
  Population: Wherever found | Threatened           |                     |               |

<table>
<thead>
<tr>
<th>Insects</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| American Burying beetle *(Nicrophorus americanus)*
  Population: Entire | Endangered           |                     |               |

<table>
<thead>
<tr>
<th>Mammals</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| Northern long-eared Bat *(Myotis septentrionalis)*
  Population: Wherever found | Threatened           |                     |               |
Critical habitats that lie within your project area

There are no critical habitats within your project area.
Appendix A: FWS National Wildlife Refuges and Fish Hatcheries

There are no refuges or fish hatcheries within your project area.
Appendix B: FWS Migratory Birds

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no otherwise lawful activities. For more information regarding these Acts see:

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tools at:
Migratory birds that may be affected by your project:
There are 27 birds on your migratory bird list. The list may include birds occurring outside this FWS office jurisdiction.

<table>
<thead>
<tr>
<th>Species Name</th>
<th>Bird of Conservation Concern (BCC)</th>
<th>Seasonal Occurrence in Project Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acadian Flycatcher <em>Empidonax virescens</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Bachman's sparrow <em>Aimophila aestiva</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Bald eagle <em>Haliaeetus leucocephalus</em></td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Bell's Vireo <em>Vireo bellii</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Bewick's Wren <em>Thryomanes bewickii ssp. bewickii</em></td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Black-crowned Night-Heron <em>Nycticorax nycticorax</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Dickcissel <em>Spiza americana</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Field Sparrow <em>Spizella pusilla</em></td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Fox Sparrow <em>Passerella liaca</em></td>
<td>Yes</td>
<td>Wintering</td>
</tr>
<tr>
<td>Golden eagle <em>Aquila chrysaetos</em></td>
<td>Yes</td>
<td>Wintering</td>
</tr>
<tr>
<td>Harris's Sparrow <em>Zonotrichia querula</em></td>
<td>Yes</td>
<td>Wintering</td>
</tr>
<tr>
<td>Henslow's sparrow <em>Ammodramus henslowii</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Hudsonian Godwit <em>Limosa haemastica</em></td>
<td>Yes</td>
<td>Migrating</td>
</tr>
<tr>
<td>Kentucky Warbler <em>Oporornis formosus</em></td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Bird Name</td>
<td>Breeding Status</td>
<td>Season</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Le Conte's Sparrow (<em>Ammodramus leconteii</em>)</td>
<td>Yes</td>
<td>Wintering</td>
</tr>
<tr>
<td>Least bittern (<em>Ixobrychus exilis hesperis</em>)</td>
<td>No</td>
<td>Breeding</td>
</tr>
<tr>
<td>Loggerhead Shrike (<em>Lanius ludovicianus</em>)</td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Mississippi Kite (<em>Ictinia mississippiensis</em>)</td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Northern Flicker (<em>Colaptes auratus</em>)</td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Painted Bunting (<em>Passerina ciris</em>)</td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Prairie Warbler (<em>Dendroica discolor</em>)</td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Prothonotary Warbler (<em>Protonotaria citrea</em>)</td>
<td>Yes</td>
<td>Breeding</td>
</tr>
<tr>
<td>Red-headed Woodpecker (<em>Melanerpes erythrocephalus</em>)</td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Rufous-crowned Sparrow (<em>Aimophila ruficeps</em>)</td>
<td>Yes</td>
<td>Year-round</td>
</tr>
<tr>
<td>Rusty Blackbird (<em>Euphagus carolinus</em>)</td>
<td>Yes</td>
<td>Wintering</td>
</tr>
<tr>
<td>Short-eared Owl (<em>Asio flammeus</em>)</td>
<td>Yes</td>
<td>Wintering</td>
</tr>
<tr>
<td>Swainson's hawk (<em>Buteo swainsoni</em>)</td>
<td>Yes</td>
<td>Breeding</td>
</tr>
</tbody>
</table>
Appendix C: NWI Wetlands

Wetlands data for your project area was not available at the time of this species list request.
November 22, 2016

Registered Mail Return Receipt

Mr. Jeff Kelly, PhD
Director
Oklahoma Biological Survey
111 East Chesapeake Street
Norman, Oklahoma 73019

RE: Endangered or Threatened Species Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Kelly:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restriction requirements as set forth in Oklahoma Administrative Code (OAC) 252:515-5-31. OAC 252:515-5-31(c) states that “for a new solid waste disposal facility, or expansion of the permit boundary of an existing solid waste disposal facility, a statement from the Oklahoma Department of Wildlife Conservation (ODWC) and from the Oklahoma Biological Survey (OBS), shall be submitted regarding current information about endangered or threatened wildlife or plant species listed in state and federal laws, that exist within one mile of the permit boundary or expansion area.”

At this time, A&M Engineering and APAC are requesting a statement from the OBS regarding current information about threatened or endangered species that may be present within one mile of the proposed landfill expansion area.
If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc:  Mr. Kristopher McClanahan, APAC-Central, Inc.
Mr. Biff Huckaby, APAC-Central, Inc.
Dear Ms. Ertugrul,  

We have reviewed occurrence information on federal and state threatened, endangered or candidate species, as well as non-regulatory rare species and ecological systems of importance currently in the Oklahoma Natural Heritage Inventory database for the following location you provided:

Sec. 16-T20N-R14E, Tulsa County

We found 1 occurrence(s) of relevant species within the vicinity of the project location as described.

Bald Eagle (*Haliaeetus leucocephalus*), a federally protected species, one occurrence in Sec. 9-T20N-R14E, Tulsa County.

Additionally, absence from our database does not preclude such species from occurring in the area.

If you have any questions about this response, please send me an email, or call us at the number given below.

Although not specific to your project, you may find the following links helpful.

ONHI, guide to ranking codes for endangered and threatened species:  
http://vmpincel.ou.edu/heritage/ranking_guide.html

Information regarding the Oklahoma Natural Areas Registry:  
http://www.oknaturalheritage.ou.edu/registry_faq.htm

Todd Fagin  
Oklahoma Natural Heritage Inventory  
(405) 325-4700  
tfagin@ou.edu
November 22, 2016

Registered Mail Return Receipt

Mr. Richard Hatcher
Director
Oklahoma Department of Wildlife Conservation
P.O. Box 53465
Oklahoma City, Oklahoma 73152

RE: Endangered or Threatened Species Statement
APAC East Quarry C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Hatcher:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restriction requirements as set forth in Oklahoma Administrative Code (OAC) 252:515-5-31. OAC 252:515-5-31(c) states that “for a new solid waste disposal facility, or expansion of the permit boundary of an existing solid waste disposal facility, a statement from the Oklahoma Department of Wildlife Conservation (ODWC) and from the Oklahoma Biological Survey (OBS), shall be submitted regarding current information about endangered or threatened wildlife or plant species listed in state and federal laws, that exist within one mile of the permit boundary or expansion area.”

At this time, A&M Engineering and APAC are requesting a statement from the ODWC regarding current information about threatened or endangered species that may be present within one mile of the proposed landfill expansion area.
If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
SEND THIS SECTION

1. Article Addressed to:
   Mr. Richard Hatcher
   Oklahoma Dept. of Wildlife Conservation
   P.O. Box 534165
   Oklahoma City, OK 73152

2. Article Number (Transfer from service label)
   7016 0750 0000 0169 1948

COMPLETE THIS SECTION ON DELIVERY

A. Signature
   [Signature]

B. Received by (Printed Name)
   [Name]

C. Date of Delivery
   [Date]

D. Is delivery address different from item 1? [ ] Yes [ ] No

3. Service Type
   [ ] Adult Signature
   [ ] Adult Signature Restricted Delivery
   [ ] Certified Mail
   [ ] Certified Mail Restricted Delivery
   [ ] Collect on Delivery
   [ ] Collect on Delivery Restricted Delivery
   [ ] Insured Mail
   [ ] Insured Mail Restricted Delivery
   [ ] Priority Mail Express®
   [ ] Registered Mail®
   [ ] Registered Mail Restricted Delivery
   [ ] Return Receipt for Merchandise
   [ ] Signature Confirmation
   [ ] Signature Confirmation

4. Domestic Return Receipt
   [ ] Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053
APPENDIX D-4

Public Water Supply Correspondence
November 22, 2016

Registered Mail Return Receipt

Ms. Julie Cunningham
Division Chief
Planning and Management Division
Oklahoma Water Resources Board
3800 North Classen Boulevard
Oklahoma City, Oklahoma 73118

RE: Public Water Supply Statement
    APAC East Quarry C&D Landfill Expansion
    Tulsa County, Oklahoma

Dear Mr. Strong:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing landfill permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5. OAC 252:515-5-32(b) requires that no new solid waste disposal facility be located within one mile and up-gradient of an existing public water supply surface water intake, or one that is permitted for construction. OAC 252:515-5-32(c) also requires that a wellhead protection area be identified as specified by the State Wellhead Protection Plan if any solid waste disposal facility will be located within two miles of a public water supply well.

A review of available information indicates that the proposed expansion area is not located within one mile and up-gradient of an existing public water supply surface water intake, or one that is permitted for construction; or within two miles of a public water supply well. However, in order to verify compliance, A&M Engineering and APAC are requesting a written
confirmation from the OWRB stating that the proposed site is not located within the noted proximities.

If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
Mr. Ertugrul,

Please find attached a project review regarding the project in the Subject line above.

I was waiting for more info from my main office in OKC, that's why I am just now getting back with you on this.

On January 3, I received an email from our Interim Division Chief, P & M Division, Kent Wilkins, who said that I should refer you to ODEQ for Public Water Supply and Wellhead Protection information. That is DEQ's jurisdiction.

My Project Review is regarding Floodplain.

Thank you! Sorry for the delay!

Cathy L. Poage, CFM
Oklahoma Water Resources Board
Woodward Field Office
2411 Williams Avenue, Ste. 116
Woodward, OK 73801
580-256-1014
580-256-1015 fax
WE RECOMMEND THAT YOU CONTACT THE LOCAL FLOODPLAIN ADMINISTRATOR FOR POSSIBLE PERMIT REQUIREMENTS FOR THIS PROJECT. THE OWRB WEB SITE, www.owrb.ok.gov, contains a directory of floodplain administrators and is located under forms/floodplain management/floodplain administrators, listed alphabetically by name of community. **If this development would fall on STATE OWNED or operated property, a floodplain development permit is required from OWRB.** The Chapter 55 Rules and permit application for this requirement can be found on the OWRB web site listed above. If this project is proposed in a non-participating community, try to ensure that this project is completed so that it is reasonably safe from flooding and so that it does not flood adjacent property if at all possible.

Reviewer: Cathy L. Poage, CFM  
Date: 12/15/2016

Project Name: Proposed 55-acre Landfill Expansion, Located in rock quarry, adjacent to and S of existing landfill permit area, in NW 1/4 of Section 16, T20N, R14EIM, Tulsa County, OK

FIRM Name: A & M Engineering & Environmental Services, Inc., Deren M Ertugrul, PE  
CC: Terry West CFM FPA Tulsa County; Laura Hendrix CFM FPA City of Tulsa

* City of Tulsa and Tulsa County participate in the NFIP and has a floodplain development permitting system. Please see above paragraph.
Search Results for 2-6,7-11,14-18,19-23,27-30, 20N, 14Ei

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Help & Search Results Key
This search does not necessarily contain information about all of the water wells within the area of interest. The multi-purpose well completion report database consists of information submitted to the Board for all well data reported by licensed firms since 1982 and monitoring well data reported since 1988. There could be other wells in the area, which are not included in our database. Wells drilled prior to the licensing requirements for well drillers would not necessarily have had a well log submitted to the OWRB. A field survey may need to be conducted to verify the presence or absence of other water wells.

The Oklahoma Water Resources Board does not guarantee the accuracy of the data shown in the well completion records. Data entered into the database are as reported by the well drillers and much of the data have not been field verified for accuracy. If any errors in the records are discovered, please bring them to our attention so that corrections to the database may be made.

Contact OWRB | disclaimer

Visit OK.gov, the Official Website of the State of Oklahoma.

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STATE OF OKLAHOMA  
OKLAHOMA WATER RESOURCES BOARD  

Water Well Record Search  

This enclosed information is the result of researching all multi-purpose completion reports and well locations listed in the Oklahoma Water Resources Board files. The multi-purpose completion report database consists of information submitted to the Board for all well data reported by licensed firms since 1982 and monitoring well data reported since 1988.

The well descriptions provided do not represent all water wells completed within the area of the search. Wells drilled before the licensing and reporting requirements for water well drillers are exempt from reporting. Wells are occasionally drilled by unlicensed firms or by individual landowners and not reported are not included in the database. For a complete inventory of water wells a visual search of the lands of interest should be done to supplement this well record search.

The Oklahoma Water Resources Board does not guarantee the accuracy of the data listed on the multi-purpose well completion form. Data entered into the database is taken directly from the form and is as reported by the well drillers and many of the forms have not been field verified for accuracy. If any errors in the records are discovered, please bring them to our attention so that corrections to the database may be made.

The amount listed due on this form includes a research time and copying fee plus postage if mailed. This amount is due upon receipt of the information.

---

### INVOICE

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<td>OK</td>
<td>74146</td>
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**PLEASE REMIT PAYMENT TO:**  
Oklahoma Water Resources Board  
3800 N. Classen Blvd.  
Oklahoma City, OK 73118

---

Planning & Management Division  
WOWWSAPP50PANDM\SHARE\SEARCHES\WELL_SEARCH_INVOICE.DOC  
Revised August 9, 1999
GBM® & Associates
Tulsa Branch Office
3840 S 103rd E Ave, Suite 210
Tulsa, OK 74146
(918) 384-7077 • Fax (918) 384-7078

FAX

To: Virginia Roy
From: Tom Blachly

Fax: (405) 530-8900
Pages: 1

Phone:
Date: 3/6/00

Project:
Project No.:

Re: Groundwater Well Completion Report

Comments:

Hello Virginia! Glover said you're in charge of well information. I knew you would take over there someday.

We are putting together an application for a solid waste landfill in Northeast Tulsa County and need completed well information. The particulars are such:

Information Needed:

1. Printout of Well Information (location, owner, depth, use, etc.)

2. Multi-purpose completion reports

3. If you have any groundwater quality information, that would be helpful also

Area Covered:

1. Legal Description of Landfill: All in Section 16, Township 20N, Range 14E, Tulsa Co.
   comprised of the SW/4, the W/2 of the SE/4, the SW/4 of the NE/4, the E/2 of the NW/4, and
   the E/2 of the NW/4 of the NW/4

   Need Information extending a minimum of 2 miles from location
   NO WELLS EXCEPT 20N 14E 21 thru 26, 21 thru 30
   2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 2, 1 thru 8

Please call me if you have any questions, and just mail the items to the address shown above.
Take care and thanks for your assistance.

21N 14E
32, 33, 34
STATE OF OKLAHOMA
WATER RESOURCES BOARD
1000 N.E. 10th St., P.O. Box 53585
Oklahoma City, Oklahoma 73152

MULTI-PURPOSE WATER WELL REPORT

1. OWNER
   Name: Dan Walker
   Address: 152 S. 120th E. Ave.
   Phone: 437-3371

2. LEGAL DESCRIPTION OF WELL
   NE 1/4 of SW 1/4 of NW 1/4 of sec. 4 TWP. 20 S Rge. 14 E
   WIM
   County: Tulsa

3. TYPE OF WORK
   - New Well
   - Reconditioning Work
   - Test

4. PROPOSED / PAST USE
   - Domestic
   - Irrigation
   - Stock
   - Municipal
   - Industrial
   - Other

5. DRILLING METHOD
   - Rotary
   - Rev. Rotary

6. LOG

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7. NEW WELL CONSTRUCTION DATA
   - Dates: Started 3-12-84, Completed 3-19-84
   - Contractor: CRAIG TRIBER DRILLING
   - Driller: CRAIG TRIBER
   - Diameter Hole: 6 1/4 in.
   - Total Depth: 21 ft.

8. WELL TEST DATA
   - Static Water Level Below Land Surface: 13 ft.
   - If Artesian: Flow: __________ gpm.
   - Water Temp.: 59 °F Quality: Good
   - BAILER TEST
   - Drawdown: 2 ft. After Pumping 1 hr. At 2 gpm.
   - Size of Bailer: 15 gal.
   - PERFORATION RECORD
   - Type: P&D 547S
   - From 11 ft. To 21 ft.
   - From 11 ft. To 21 ft.

9. PLUGGING DATA
   - Date Plugged: __________
   - Backfilled With: __________ Material To: __________ ft.
   - Grouted or Cemented From: __________ ft. To: __________ ft.
   - Plot Location in Item 11: ______ Show Distances From 2 Section Lines.

10. RECONDITIONING WORK

RECEIVED
MAR 27 1984
The work described above was done under my supervision, and this report is true and correct to the best of my knowledge.

Name: Craig Treiber
License #: WP 238
Address: 6635 E 103 ST S, TULSA
Phone #: 299-7507
Signed: Craig Treiber
Date: 3-19-87
STATE OF OKLAHOMA
WATER RESOURCES BOARD
1000 N E. 10th St. P. O. Box 53585
Oklahoma City, Oklahoma 73152

MULTI-PURPOSE WATER WELL REPORT

OWNER  Peavy  Location  RT. 2  Box 93

LEGAL DESCRIPTION OF WELL
NW 1/4 of NE 1/4 of SE 1/4 of sec. 9, TWP. 20 S., RGE. 14 W., ECM: COUNTY: TELSA

TYPE OF WORK
- New Well
- Reconditioning Work

PROPOSED PAST USE
- Domestic
- Irrigation
- Stock
- Municipal
- Industrial
- Test

4. DRRILLING METHOD
- Rotary
- Cable
- Other

5. DRRILLING METHOD
- Rev. Rotary

6. LOG

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<tr>
<td>SHALE</td>
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</table>

NOTE: WATER UNMPL 37

7. NEW WELL CONSTRUCTION DATA

Dates: Started 10/12/83  Completed 10/12/83
Contractor: CRABAR DRILLING
Driller: WILLIAM FLETCHER
Diameter Hole: 6 1/4 in.  Total Depth: 57 ft.

CASING RECORD

- Diameter: 4 in.
- From: 0 ft.  To: 20 ft.

- Surface Seal: Yes
- Depth of Seal: 19 ft.
- Gravel Packed: —
- Gravel Packed From: — ft. to: — ft.
- Amount Used: —

PERFORATION RECORD

- Type: open hole
- From: — ft. To: — ft.
- Size: —

8. WELL TEST DATA

Static Water Level Below Land Surface: 12 ft.
Water Temp.: 60 °C/1 Quality: Good

BAILER TEST

Size of Bailer: — gal.

MR GIFT PUMPING TEST


9. PLUGGING DATA

Date Plugged: —
Backfilled With: — ft.
Grouted or Cemented From: — ft. To: — ft.
Plot Location in Item 11: Show Distances From 2 Section Lines.

10. RECONDITIONING WORK

Data Completed: /
P INFORMATION

Pump Type: Sea
Power Source: 230
Rated Capacity: gpm
Depth of Bowl or Cylinder: ft.

INSTALLED BY OTHERS

13. CERTIFICATION

The work described above was done under my supervision, and this report is true and correct to the best of my knowledge.

Name: Craig Treider
License #: WD-238
Address: 6625 E 103 St, Tulsa
Phone #: 292-7907
Signed: Craig Treider
Date: 12/12/83

USE ADDITIONAL SHEETS IF NECESSARY
1. WELL OWNER: Ronnie T. Miller
   PHONE: (918) 266-3347

2. LEGAL DESCRIPTION: NW 1/4 of NW 1/4 of NW 1/4 of sec 20, TWP 20 (N), RGE 14E, ECM County, Rogers.

FINDING LOCATION: 1 Mile north of Intersection of Rice & Frisco St., Catoosa, Oklahoma

3. TYPE OF WORK:
   - [ ] New Well
   - [ ] Reconditioning Work
   - [ ] Monitoring
   - [ ] Test Hole
   - [x] Plugging
   - [ ] Other

4. USE:
   - [x] Domestic
   - [ ] Stock
   - [ ] Irrigation
   - [ ] Municipal
   - [ ] Industrial
   - [ ] Commercial
   - [ ] Other

5. DRILLING METHOD:
   - [x] Fluid Rotary
   - [ ] Rev. Rotary
   - [ ] Cable
   - [ ] Air Rotary
   - [ ] H.S. Auger
   - [ ] Other

6. LITHOLOGIC LOG:

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<td>100</td>
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<tr>
<td>Shale, sandy, tan, gray</td>
<td>29</td>
<td>34</td>
<td>25</td>
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7. LOCATION PERMIT:
   - [ ] Yes
   - [x] No
   - Permit No.:

8. NEW WELL CONSTRUCTION DATA:
   - Dates: Started 11-5-90, Completed 11-6-90
   - Contractor: Okland Development Corporation
   - Driller: G. Pryor
   - Diameter Hole: 10" in., Total Depth: 34 ft.
   - CASING RECORD:
     - Surface Pipe: [ ]
     - Well Casing: 5 PVC in., +1 ft.
     - Cement Grout Surface Seal: [Y] Yes, [N] No
     - Type of Surface Seal: Cement
     - Depth of Seal: 10 ft.
   - GRAVEL PACK:
     - Gravel Packed From: 11 ft. to 34 ft.
     - Amount Used: 1000 lb.
   - PERFORATION RECORD:
     - Type/Size: 0.30
     - From: 20 ft. to 34 ft.

9. WELL TEST DATA:
   - Static Water Level:
     - Below Land Surface: 12 ft.
   - Approximate Yield: 8 gpm.
   - If Artesian: Flows:
     - Pump Type:
     - Power Source:
     - Rated Capacity: gpm
     - Depth of Wells or Cylinder: ft.

10. PLUGGING DATA:
    - Date Plugged:
    - Backfilled With Material To:
    - Grouted or Cemented From: Ft. To: Ft.

11. RECONDITIONING WORK:
    - Date Completed:

---

# 3347

---

---
The work described above was done under my supervision, and this report is true and correct to the best of my knowledge.

Name: Okland Development Corporation  License #: WD-141
Address: P.O. Box 14344 Tulsa, OK  Phone #: (918) 592-2677
74159-1344
Signed: Date: 11/6/90
OKLAHOMA WATER RESOURCES BOARD

440 S. Houston, Room #2
Tulsa, OK 74127
918-581-2924
fax 918-581-2754
owrbtuls@tongenet.net
www.state.ok.us/~owrb

FAX TRANSMISSION COVER SHEET

Date: March 5, 2001
To: Bill Sadler
Fax #: 501.455.4547
Re: 16,9, T20N, R14E.M Tulsa Co, Oklahoma
Sender: Gatlin Brady

You should receive 1 page(s), including cover sheet.

OWRB records indicate NO EXISTING OR PERMITTED SURFACE WATER PUBLIC WATER SUPPLY WITHIN 1 MILE DOWNSTREAM OR ANY PUBLIC WATER SUPPLY WELLS WITHIN 2 MILES OF MENTIONED LEGAL DESCRIPTION. CONTACT THE LOCAL DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE (DEQ) FOR WATER AND WASTEWATER COLLECTION, TREATMENT OR DISTRIBUTION FACILITIES. PHONE # 918.587.4020.
March 5, 2001

Mr. J. Gavin Brady, CFM
Oklahoma Water Resources Board
440 South Houston, Room 2
Tulsa, Oklahoma 74127

SUBJECT: Search for Public Water Supply Facilities Near Proposed Solid Waste Landfill

Dear Mr. Brady:

We are preparing a permit application for a proposed solid waste landfill to be located in a quarry on the northeast side of the City of Tulsa. The proposed landfill is located immediately south of State Highway 266 and Bird Creek at the eastern city limit within Sections 16 and 9 of Township 20 N, Range 14 EIM (see attached figures).

Collection, treatment, and distributions facilities for public water and wastewater systems must be located within the vicinity of the proposed landfill as listed below:

1) Existing or permitted surface water Public Water Supply within 1 mile downstream
2) Public water and wastewater collection, treatment or distribution facilities within 1 mile
3) Public Water Supply well within 2 miles

It appears that similar requests were made of your office in May 1996 and January 2000 for adjacent landfills.

Thank-you for your time and effort dealing with this matter. If you need further information or have any comments or questions, please call us at (501) 455-2199 or e-mail us at gecenv@swbell.net.

Sincerely,

GENESIS ENVIRONMENTAL CONSULTING, INC.

Bill Sadler
Project Hydrogeologist
APPENDIX D-5

Wetlands Correspondence
November 22, 2016

Registered Mail Return Receipt

Mr. Trey Lam
Executive Director
Oklahoma Conservation Commission
2800 North Lincoln Blvd., Suite 160
Oklahoma City, Oklahoma 73105

RE: Wetland Area Statement
APAC-Central, Inc. C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Lam:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5-32. OAC 252:515-5-32(d) states that “no new waste management or disposal areas of a solid waste disposal facility shall be located in wetland areas as designated by the Oklahoma Conservation Commission or other appropriate agency.”

A review of available information has not identified any wetland areas within the proposed expansion area. However, in order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the Oklahoma Conservation Commission stating that the proposed site is not located within a wetland as determined by the Commission.

If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.
Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
Mr. Biff Huckaby, APAC-Central, Inc.
December 20, 2016

Deren Ertugrul
Project Manager
A&M Engineering and Environmental Services, Inc.
10010 E 16th Street
Tulsa, OK 74128-4713

RE: Wetland Area Statement
APAC-Central, Inc C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Ertugrul,

Your request for a wetland determination for the referenced project, as described in your letter of November 22, 2016 has been reviewed using the U.S. Fish and Wildlife Service National Wetlands Inventory. The specific project boundary is not marked on the supplied map, but you suggest a 55 acre lateral expansion. This 55 acre lateral expansion will fall within a mapped area including approximately 250 acres adjacent to the current landfill. Without understanding the specific 55 acre expansion area, it appears that several designated excavated wetlands could occur within your proposed project study boundary including an emergent excavated wetland. There are several surface water features present in the area. With a specific project boundary on aerial photography, a better determination of potential impacts could be made. The Oklahoma Conservation Commission’s (OCC) determination is that there are potential impacts to wetlands. The OCC cannot make a final determination of wetlands or assess the quality of wetlands if present. Due to the potential impact on wetland resources, an on-site investigation may be needed. Consequently, we recommend you contact the U.S. Army Corps of Engineers for a determination. Their address and phone number is:

U.S. Army Corps of Engineers
Mr. Andrew Commer
Chief of Regulatory Branch
1645 South 101st East Avenue
Tulsa, OK 74128-4629
918/669-7400

If you have any further questions or concerns, please contact me at 405/522-6908.

Sincerely,

[Signature]
Brooks Tramell
Wetlands Program Coordinator
Water Quality Division

cc: U.S. Army Corps of Engineers
Wetlands File
February 13, 2017

Registered Mail Return Receipt

U.S. Army Corps of Engineers
Mr. Andrew Comer
Chief of Regulatory Branch
1645 South 101st East Avenue
Tulsa, Oklahoma 74128-4629

RE: Wetland Area Statement
APAC-Central, Inc. C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Comer:

A&M Engineering and Environmental Services, Inc. (A&M Engineering) is in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located within the City of Tulsa city limits, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map and Topographic Site Map are provided as Figures 1 and 2 respectively.

The purpose of this letter is to confirm compliance with the Oklahoma Department of Environmental Quality (DEQ) landfill location restrictions as set forth in Oklahoma Administrative Code (OAC) 252:515-5-32. OAC 252:515-5-32(d) states that “no new waste management or disposal areas of a solid waste disposal facility shall be located in wetland areas as designated by the Oklahoma Conservation Commission or other appropriate agency.”

Wetlands Mapper V2 GIS system on the U.S. Fish & Wildlife Service website was used by A&M Engineering to review possible wetland area conflicts within the proposed 55-acre lateral expansion area, provided as Figure 3. The GIS map indicates that there is one freshwater pond wetland within the 55-acre lateral expansion area as well as one freshwater pond and one freshwater emergent wetland near the southeastern boundary of the proposed expansion area. Based on the GIS map, these features were mapped in 1980. The extensive mining of the area has completely changed the topography of the area since 1980, and these features, as mapped, no longer exist. The limestone mining has lowered the quarry area up to 100 feet below natural grade.
A&M Engineering requested a wetland determination from the Oklahoma Conservation Commission (OCC) as required by OAC 252:515-5-32. On December 20, 2016, OCC replied with a letter which includes the following statements “The Oklahoma Conservation Commission’s (OCC) determination is that there are potential impacts to wetlands. The OCC cannot make a final determination of wetlands or assess the quality of wetlands if present. Due to the potential impact on wetland resources, an on-site investigation may be needed. Consequently, we recommend you contact the US Army Corps of Engineers for a determination.” The full OCC letter is attached.

In order to verify compliance, A&M Engineering and APAC are requesting a written confirmation from the U.S. Army Corps of Engineers (USACE) stating that the proposed site is not located within a wetland.

In addition, please see the attached December 29, 2000 USACE letter, concerning the original C&D landfill permit, which determined that Section 16, Township 20 North, Range 14 East, Tulsa County, Oklahoma contained no jurisdictional wetlands. This letter also noted waterways exiting Section 16. The waterway flowing north toward Bird Creek no longer exists because the mining operation in section 16 lowered the grade up to 100 feet. The pond in the northwest corner of Section 16 is a total impoundment and is pumped to wash aggregate for the quarry operations. A&M Engineering and APAC are additionally requesting a written clarification from the USACE stating that the mapped waterways and the total impoundment are not jurisdictional wetlands.

If you have any questions regarding this request, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,

A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures 1, 2, & 3
December 20, 2016 letter from OCC
December 29, 2000 letter from USACE

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
FIGURE 1
SITE LOCATION MAP
APAC EAST QUARRY C&D LANDFILL
TULSA, OKLAHOMA
Figure 3: Wetland Site Map

- Proposed Landfill Expansion
- Apac East Quarry C&D Landfill, Tulsa, Oklahoma

Legend:
- Wetlands:
  - Characteristic and Habitat
  - Deepwater
  - Estuarine and Marine
  - Freshwater Emergent
  - Freshwater Forested
  - Riparian
  - Other

Existing Landfill Area
Proposed Expansion Area
December 20, 2016

Deren Ertugrul
Project Manager
A&M Engineering and Environmental Services, Inc
10010 E 16th Street
Tulsa, OK 74128-4713

RE: Wetland Area Statement
APAC-Central, Inc C&D Landfill Expansion
Tulsa County, Oklahoma

Dear Mr. Ertugrul,

Your request for a wetland determination for the referenced project, as described in your letter of November 22, 2016 has been reviewed using the U.S. Fish and Wildlife Service National Wetlands Inventory. The specific project boundary is not marked on the supplied map, but you suggest a 55 acre lateral expansion. This 55 acre lateral expansion will fall within a mapped area including approximately 250 acres adjacent to the current landfill. Without understanding the specific 55 acre expansion area, it appears that several designated excavated wetlands could occur within your proposed project study boundary including an emergent excavated wetland. There are several surface water features present in the area. With a specific project boundary on aerial photography, a better determination of potential impacts could be made. The Oklahoma Conservation Commission’s (OCC) determination is that there are potential impacts to wetlands. The OCC cannot make a final determination of wetlands or assess the quality of wetlands if present. Due to the potential impact on wetland resources, an on-site investigation may be needed. Consequently, we recommend you contact the U.S. Army Corps of Engineers for a determination. Their address and phone number is:

U.S. Army Corps of Engineers
Mr. Andrew Commer
Chief of Regulatory Branch
1645 South 101st East Avenue
Tulsa, OK 74128-4629
918/669-7400

If you have any further questions or concerns, please contact me at 405/522-6908.

Sincerely,

[Signature]

Brooks Tramell
Wetlands Program Coordinator
Water Quality Division

cc: U.S. Army Corps of Engineers
    Wetlands File
December 29, 2000

Planning, Environmental, and Regulatory Division
Regulatory Branch

Ms. Amanda Wilson
Genesis Environmental Consulting, Inc.
11400 West Baseline Road
Little Rock, AR  72209

Dear Ms. Wilson:

This is in reference to your letter of November 22, 2000, to the Oklahoma Conservation Commission. Your letter requested a wetland determination on property located in Section 16, Township 20 North, Range 14 East, Tulsa County, Oklahoma. The area marked in red on the enclosed map denotes the approximate limits of the property examined under this request.

The referenced property contains no jurisdictional wetlands. However, the unnamed tributaries located within the reviewed property, as shown in blue on the enclosed map, are regulated waterways. The placement of dredged or fill material in these waterways would require Department of the Army authorization pursuant to Section 404 of the Clean Water Act (CWA) prior to commencement.

Although no obvious wetland areas are evident, we encourage you to locate your proposed project away from any adjacent waterways. Should you choose to site your operation near any river or creek, preparations should be made to maintain at least a 100-foot undisturbed buffer zone between the adjacent waterway and the borrow site.

This jurisdictional determination (JD) is based solely upon available office resources, including contact with the Natural Resources Conservation Service, and not upon direct observation of the subject property. We believe this determination to be a reasonable assessment of the presence of jurisdictional waters, including wetlands, on the site subject to Section 404 of the CWA. However, this is only a preliminary determination, and as such, is not a definitive description of on-site wetlands or U.S. Army Corps of Engineers jurisdiction over the area. For an understanding of Administrative Appeal options regarding this preliminary JD, please read the enclosed information sheet.
Your request has been assigned Identification No. 10942. Please refer to this number during future correspondence. If you have any questions, contact Ms. Helen J. Williams at 918-669-7009.

Sincerely,

[Signature]

David A. Manning
Chief, Regulatory Branch

Enclosures
May 2, 2017

Regulatory Office

Mr. Deren M. Ertugrul
A & M Engineering & Environmental Services, Inc.
10010 East 16th Street
Tulsa, OK 74128-4713

Dear Mr. Ertugrul:

This is in reference to your letter dated February 13, 2017, requesting a jurisdictional determination (JD) on property located in Section 16, Township 20 North, Range 14 East, in Tulsa County, Oklahoma. The area marked in red on the enclosed map denotes the limits of the property examined under this request. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

We have examined the property and concluded that the referenced property contains no jurisdictional wetlands or other waters of the United States subject to Section 404 of the CWA.

We believe this determination to be an accurate assessment of the presence of jurisdictional wetlands and other waters on the site which are subject to Section 404 of the CWA. This is a final determination of federal jurisdiction on the property pursuant to Section 404 of the CWA. This determination is valid for 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This determination has been conducted to identify the limits of the Corps CWA jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This final determination constitutes an approved JD subject to the optional Corps Administrative Appeal Process. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a copy of the Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Southwestern Division Office at the following address:
Mr. Elliott Carman  
Administrative Appeals Review Officer (CESWD-PD-O)  
U.S. Army Corps of Engineers  
1100 Commerce Street, Suite 831  
Dallas, TX 75242-1317  
Tel: 469-487-7061

In order for a RFA form to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by July 1, 2017. It is not necessary to submit a RFA form to the Division Office if you do not object to the determination in this letter.

If you desire to complete a “Customer Service Survey” please visit the internet address http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey at your convenience and submit your comments.

This case has been assigned Identification No. SWT-2017-00163. Please refer to this number during future correspondence. If you have any questions, please contact Mr. Rob Hoffmann at 918-669-7481.

Sincerely,

[Signature]

[Name]
Chief, Regulatory Office

Enclosures
US Army Corps of Engineers®
Tulsa District

SWT-2017-00163- C & D Landfill Expansion Project
Approved Jurisdictional Determination

Mr. Rob Hoffmann
Regulatory Specialist

Figure No. 1
Date: May 2, 2017
## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

<table>
<thead>
<tr>
<th>Applicant: Mr. Deren Ertugrul</th>
<th>File Number: SWT-2017-163</th>
<th>Date: May 2, 2017</th>
<th>Attached is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>See Section below</td>
</tr>
<tr>
<td>☐ INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)</td>
<td>A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>☐ PROFFERED PERMIT (Standard Permit or Letter of permission)</td>
<td>B</td>
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<tr>
<td>☐ PERMIT DENIAL</td>
<td>C</td>
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<tr>
<td>☒ APPROVED JURISDICTIONAL DETERMINATION</td>
<td>D</td>
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<tr>
<td>☐ PRELIMINARY JURISDICTIONAL DETERMINATION</td>
<td>E</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/Missions/CivilWorks/Regulatory/ProgramandPermits/appeals.aspx or Corps regulations at 33 CFR Part 331.

#### A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

#### B: PROFFERED PERMIT: You may accept or appeal the permit
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to request the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the proffered permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

#### C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

#### D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.
- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

#### E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.
**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFERRED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

| [Image -1x-1 to 614x793] |

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

<table>
<thead>
<tr>
<th>If you have questions regarding this decision and/or the appeal process you may contact:</th>
<th>If you only have questions regarding the appeal process you may also contact:</th>
</tr>
</thead>
</table>
| Mr. Rob Hoffmann  
1645 S. 101st East Avenue  
Tulsa, OK 74128  
918-669-7400 | Mr. Elliott Carman  
Administrative Appeals Review Officer (CESWD-PD-O)  
U.S. Army Corps of Engineers  
1100 Commerce Street, Suite 831  
Dallas, Texas 75242-1517  
469-487-7061 |

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

| Signature of appellant or agent. | Date: | Telephone number: |
APPENDIX D-6

Airport Correspondence
January 20, 2017

Registered Mail Return Receipt

Mr. Joseph G. Washington
Manager, Safety and Standards Branch, ASW-620
U.S. Department of Transportation
Federal Aviation Administration
10101 Hillwood Parkway
Fort Worth, Texas 76177

RE: FAA File No. 21-0010K
Proposed Lateral Expansion
APAC East Quarry C&D Landfill
Tulsa County, Oklahoma

Dear Mr. Washington:

The purpose of this letter is to inform the Federal Aviation Administration (FAA) that A&M Engineering and Environmental Services, Inc. (A&M Engineering) is currently in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map, Topographic Site Map and FAA Airport Map are provided as Figures 1, 2 and 3 respectively.

Although the Oklahoma Department of Environmental Quality (DEQ) regulations for landfill location restrictions regarding airports do not apply to C&D landfills, this notice is being provided in consideration of the FAA Advisory Circular 150-5200-33B. As shown in the attached figures, the proposed landfill expansion area is located at a distance greater than 5,000 feet from the nearest runway end used by piston-powered aircraft and greater than 10,000 feet from the nearest runway end used by turbine-powered aircraft. However, the proposed expansion area is located within 5 statute miles of the nearest runway end of the Tulsa International Airport (TUL), Harvey Young Airport (1H6) and Gundy’s Airport (O38). A separate notification letter has been sent to each of these airports.

We believe that the proposed expansion to the existing C&D landfill will not pose an increased wildlife hazard to aircraft utilizing these airports. Since its inception, APAC has strived to
operate the landfill facility in a manner that meets or exceeds regulatory requirements and standard industry practice. In accordance with regulatory requirements, only wastes that classify as C&D wastes are accepted at the facility. Putrescible wastes are not accepted. APAC consistently maintains a manageable active working face that is compacted and covered with earthen material or a DEQ approved alternate cover material at least on a weekly basis. The application of such cover materials minimizes the exposure of waste materials that could potentially serve as a wildlife habitat. Furthermore, the present quarry area is largely devoid of vegetation that would provide habitat for wildlife. Historically, APAC personnel have not encountered any significant bird populations associated with the C&D waste disposal operations at the site.

If you have any questions, comments or concerns regarding the proposed expansion of the APAC East Quarry C&D Landfill, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
FIGURE 2

TOPOGRAPHIC SITE MAP
PROPOSED LANDFILL EXPANSION
APAC EAST QUARRY C&D LANDFILL
TULSA, OKLAHOMA

EXISTING LANDFILL AREA
PROPOSED EXPANSION AREA
APAC PROPERTY BOUNDARY

SCALE IN FEET
0 2000' 4000'

BIRD CREEK
APAC PROPERTY
BOUNDARY

GENERAL NOTES

REVISED
DRAWN
DATE
DATE

A & M ENGINEERING AND
ENVIRONMENTAL SERVICES, INC.

1128x33
967x706
1004x677
985x82
997x53
610x645
519x247
484x232
482x217

CATOOSA

Hooper Hill
Gosnold Mountain
Round Mountain

Dawson

Mingo

Tulsa Int'l Airport
February 7, 2017

Deren M. Ertugrul, P.E.
Project Manager
A&M Engineering & Environmental Services Inc.
10010 East 16th Street
Tulsa, OK 74128-4173

Subject: APAC East Quarry C&D Landfill
Proposed Lateral Expansion (Re: FAA File 21-001-OK)
Tulsa, OK
FAA File No. 21-001-OK

Dear Mr. Ertugrul:

This is in response to your letter of January 20, 2017, advising us of a lateral expansion permit application being prepared by A&M Engineering on behalf of APAC-Central Inc., Tulsa, Oklahoma. Thank you for keeping us informed. Please continue to monitor the wildlife in and around the APAC East Quarry C&D Landfill area and report any changes in wildlife populations to the Tulsa Airport Administrative Offices.

We have no objection to the expansion plans described as we understand it is your intent to comply with the September 28, 2001 original approval letter requirements of covering the working face with at least six inches of earthen cover on a weekly basis and there is no change in landfill type. Our position of no objection is based on our guidance for hazardous wildlife attractants on or near airports FAA Advisory Circular 150/5200-33B.

This site has been assigned our file No. 21-001-OK. Please refer to this number in any future correspondence regarding this site. Thank you for coordinating with us. If there are any questions, you can contact me at 817-222-5671 or gary.loftus@faa.gov.

Sincerely,

[Signature]
Gary J. Loftus
Airports Compliance Program Manager
Airport Certification Safety Inspector
FAA Southwest Region
Southwest Region Airports Division

cc: Oklahoma Aeronautics Commission
120 N. Robinson
Suite 1244W
Oklahoma City, OK 73102
January 20, 2017

Registered Mail Return Receipt

Ms. Alexis Higgins, A.A.E.
Interim Director of Airports
Tulsa International Airport
P.O. Box 581838
Tulsa, Oklahoma 74158

RE: Proposed Lateral Expansion
APAC East Quarry C&D Landfill
Tulsa County, Oklahoma

Dear Ms. Higgins:

The purpose of this letter is to inform the Tulsa International Airport (TIA) that A&M Engineering and Environmental Services, Inc. (A&M Engineering) is currently in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map, Topographic Site Map and FAA Airport Map are provided as Figures 1, 2 and 3 respectively.

Although the Oklahoma Department of Environmental Quality (DEQ) regulations for landfill location restrictions regarding airports do not apply to C&D landfills, this notice is being provided in consideration of the Federal Aviation Administration (FAA) Advisory Circular 150-5200-33B. As shown in the attached figures, the proposed landfill expansion area is located at a distance greater than 10,000 feet but within 5 statute miles from the nearest runway end of TIA. A separate notification letter has been sent to the FAA.

We believe that the proposed expansion to the existing C&D landfill will not pose an increased wildlife hazard to aircraft utilizing TIA. Since its inception, APAC has strived to operate the landfill facility in a manner that meets or exceeds regulatory requirements and standard industry practice. In accordance with regulatory requirements, only wastes that classify as C&D wastes are accepted at the facility. Putrescible wastes are not accepted. APAC consistently maintains a manageable active working face that is compacted and covered with earthen material or a DEQ approved alternate cover material at least on a weekly basis. The application of such cover
materials minimizes the exposure of waste materials that could potentially serve as a wildlife habitat. Furthermore, the present quarry area is largely devoid of vegetation that would provide habitat for wildlife. Historically, APAC personnel have not encountered any significant bird populations associated with the C&D waste disposal operations at the site.

If you have any questions, comments or concerns regarding the proposed expansion of the APAC East Quarry C&D Landfill, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugrul@aandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,
A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
FIGURE 1
GENERAL SITE LOCATION MAP
APAC EAST QUARRY C&D LANDFILL
TULSA, OKLAHOMA

5,000 ft Radius
10,000 ft Radius
5 Mi. Radius

PROPOSED EXPANSION AREA
APAC PROPERTY BOUNDARY
CATOOSA

EXISTING LANDFILL AREA

PROPOSED EXPANSION AREA
APAC PROPERTY BOUNDARY
CATOOSA

SCALE IN FEET
0 7,500 15,000

GENERAL NOTES
REVISED BY DATE
AMM ENGINEERING AND ENVIRONMENTAL SERVICES, INC.

TULSA EAST QUARRY C&D LANDFILL
TULSA, OKLAHOMA
<table>
<thead>
<tr>
<th>SENDER: COMPLETE THIS SECTION</th>
<th>COMPLETE THIS SECTION ON DELIVERY</th>
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<td>so that we can return the card to you.</td>
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<td>■ Attach this card to the back of the mailpiece,</td>
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<td>or on the front if space permits.</td>
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<td>1. Article Addressed to:</td>
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<td>M. Alexis Duggins, A.A.C.</td>
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<td>nurse</td>
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<td>P.O. Box 081838</td>
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<td>Tulsa, OK 74178</td>
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<td>Signature</td>
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<td>JAN 25 2017</td>
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<td>D. Is delivery address different from item?</td>
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<td>2. Article Number (transfer from sender label):</td>
<td></td>
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<td>7003 1680 0006 9558 5533</td>
<td></td>
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</tbody>
</table>

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt
January 20, 2017

Registered Mail Return Receipt

Mr. David Guzman
Manager
Harvey Young Airport
1419 South 135th East Avenue
Tulsa, Oklahoma 74108

RE: Proposed Lateral Expansion
APAC East Quarry C&D Landfill
Tulsa County, Oklahoma

Dear Mr. Guzman:

The purpose of this letter is to inform the Harvey Young Airport that A&M Engineering and Environmental Services, Inc. (A&M Engineering) is currently in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map, Topographic Site Map and FAA Airport Map are provided as Figures 1, 2 and 3 respectively.

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We believe that the proposed expansion to the existing C&D landfill will not pose an increased wildlife hazard to aircraft utilizing Harvey Young Airport. Since its inception, APAC has strived to operate the landfill facility in a manner that meets or exceeds regulatory requirements and standard industry practice. In accordance with regulatory requirements, only wastes that classify as C&D wastes are accepted at the facility. Putrescible wastes are not accepted. APAC consistently maintains a manageable active working face that is compacted and covered with earthen material or a DEQ approved alternate cover material at least on a weekly basis. The
application of such cover materials minimizes the exposure of waste materials that could potentially serve as a wildlife habitat. Furthermore, the present quarry area is largely devoid of vegetation that would provide habitat for wildlife. Historically, APAC personnel have not encountered any significant bird populations associated with the C&D waste disposal operations at the site.

If you have any questions, comments or concerns regarding the proposed expansion of the APAC East Quarry C&D Landfill, please do not hesitate to contact me by telephone at (918) 665-6575 or by email at dertugul@oandmengineering.com. Thank you very much for your assistance with this matter.

Respectfully,

A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
SENDING COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
   Mr. David Cumpian
   Harvey Young Road
   1419 S. 185th E.
   Tulsa, OK 74105

2. Article Number (Transfer from service label)
   7003 1680 0006 9558 5526

3. Service Type
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   - [ ] Adult Signature Restricted Delivery
   - [ ] Certified Mail®
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   [ ] Yes
   [ ] No

   JAN 26 2017

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt
January 20, 2017

Registered Mail Return Receipt

Mr. Roger Wieden
Manager
Gundy’s Airport
P.O. Box 693
Owasso, Oklahoma 74055

RE: Proposed Lateral Expansion
APAC East Quarry C&D Landfill
Tulsa County, Oklahoma

Dear Mr. Wieden:

The purpose of this letter is to inform Gundy’s Airport that A&M Engineering and Environmental Services, Inc. (A&M Engineering) is currently in the process of preparing a landfill expansion permit application, on behalf of APAC-Central, Inc. (APAC), to expand the existing APAC East Quarry Construction and Demolition (C&D) Landfill located in Tulsa, Oklahoma. The existing landfill facility is located northeast of the City of Tulsa, east of 129th Street and south of State Highway 266. The proposed 55-acre lateral expansion area is located within an existing rock quarry adjacent to and south of the existing permit area in the Northwest Quarter (1/4) of Section 16, Township 20 North, Range 14 East of the Indian Base and Meridian. For your reference, a General Site Location Map, Topographic Site Map and FAA Airport Map are provided as Figures 1, 2 and 3 respectively.

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We believe that the proposed expansion to the existing C&D landfill will not pose an increased wildlife hazard to aircraft utilizing Gundy’s Airport. Since its inception, APAC has strived to operate the landfill facility in a manner that meets or exceeds regulatory requirements and standard industry practice. In accordance with regulatory requirements, only wastes that classify as C&D wastes are accepted at the facility. Putrescible wastes are not accepted. APAC consistently maintains a manageable active working face that is compacted and covered with earthen material or a DEQ approved alternate cover material at least on a weekly basis. The
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Respectfully,

A&M Engineering and Environmental Services, Inc.

Deren M. Ertugrul, P.E.
Project Manager

Attachment: Figures

cc: Mr. Kristopher McClanahan, APAC-Central, Inc.
    Mr. Biff Huckaby, APAC-Central, Inc.
1. Article Addressed to:
Mr. Roger Wieden
Grandpa’s Airpot
P.O. Box 693
Waukesha, WI 53186-693

2. Article Number (Transfer from service label): 7003 4000 0002 8746 0924

Sender: Complete this section
- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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Complete this section on delivery
A. Signature
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B. Received by (Printed Name)
Roger Wieden
C. Date of Delivery
D. Is delivery address different from item 1?
If YES, enter delivery address below:
Yes
No

3. Service Type
- Priority Mail Express®
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- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Collect on Delivery Restrict Delivery
- Adult Signature
- Adult Signature Restricted Delivery

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9590 9402 2448 6249 6887 86

Jan 31, 2017