

November 9, 2023

Mr. Dan Christensen, President
CARDS NEO, LLC
P.O. Box 775
Tontitown, AR 72770

RE: Draft Teir II Solid Waste Permit Modification
CARDS Fairland Transfer Station, Ottawa County
Solid Waste Permit No. 3558020

Dear Mr. Christensen:

The Oklahoma Department of Environmental Quality (DEQ) received the Tier II Permit Modification Application for the CARDS Fairland Transfer Station on June 15, 2023. The modification was submitted by Terracon Consultants, Inc. on behalf of CARDS NEO, LLC. Additional information was requested on July 5, 2023, July 26, 2023, and October 4, 2023, and received by DEQ on July 13, 2023, August 24, 2023, and October 11, 2023.

Pursuant to 27A O.S. § 2-14-301(A), the application “Notice of Filing” was published in the *Afton Fairland American* on September 7, 2023, and the affidavit was received by DEQ on September 19, 2023.

The purpose of the modification is to increase the waste capacity from 70 tons per day to 500 tons per day, expand the existing solid waste transfer building, increase the population served from 8,500 persons to approximately 40,000 persons, and change the facility name from “CARDS NEO Transfer Station” to “CARDS Fairland Transfer Station”. The solid waste transfer station building will extend into a portion of the 50-foot waste-free buffer zone on the east side of the property. The north side of the building extends approximately 35.3 feet and the south end of the building existing 23 feet into the buffer zone. The modified buffer zone extends approximately 115 feet on the northern portion of the eastern permit boundary. There will be no change in the permitted boundary. Loading and unloading of solid waste will not occur in the buffer zone outside of the enclosed transfer building. Oklahoma Administrative Code (OAC) 252:515-19-38(b)(4) allows DEQ to approve a smaller buffer zone if the applicant submits justification for good cause. CARDS NEO, LLC owns the adjacent property to the east.

DEQ has prepared the enclosed Draft Permit Modification with conditions included. 27A O.S. § 2-14-302 requires CARDS NEO, LLC to publish “Notice of Draft Permit Modification” in one newspaper local to the site and allow 30 days for public comment and for a public meeting request. Also enclosed are instructions for the preparation, publication, and certification of the

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legal notice as required with all Tier II applications. As noted in the enclosed instructions, please submit a draft of the legal notice to DEQ for review, prior to publication.

Should you have any questions, please contact Kaylee Daneshmand at (405) 702-5196 or Kaylee.daneshmand@deq.ok.gov.

Sincerely,

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

Enclosures

cc: Drew Potter, Terracon Consultants, Inc.

File Copy: Solid Waste Permit No. 3558020

DRAFT SOLID WASTE PERMIT MODIFICATION

The Oklahoma Department of Environmental Quality hereby approves the following modification:

Permit Number: 3558020
Permittee: CARDS NEO, LLC
Facility: CARDS Fairland Transfer Station
Facility Type: Solid Waste Transfer Station
County: Ottawa County

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Modification:

Modify the existing permit to increase waste capacity from 70 tons per day to 500 tons per day, expand the existing solid waste transfer building, increase population served from 8,500 persons to 40,000 persons, and change the facility name from “CARDS NEO Transfer Station” to “CARDS Fairland Transfer Station”.

Incorporation by reference:

The Tier II permit modification application received by DEQ on June 15, 2023, submitted by Terracon Consultants, Inc. Additionally, the supplemental information received on July 13, 2023, August 24, 2023, and October 4, 2023, submitted by Terracon.

Conditions:

1. DEQ shall be notified once the expansion to the existing solid waste transfer building has been completed.
2. The CARDS Fairland Transfer Station shall notify DEQ within thirty (30) days if changes to the conditions approved in this permit modification occur.
3. Financial Assurance shall be updated and approved by DEQ in the amount of the approved closure cost estimates prior to accepting the increased amount of waste.
4. A modified buffer zone of 14.7 feet and 27 feet is approved for approximately 115 feet along the eastern permit boundary. The remaining buffer zone is 50 feet from the permit boundary. No loading or unloading of solid waste shall be conducted in the modified buffer zone.
5. This permit modification is based on data, design criteria, plans, and specifications presented in the documents incorporated by reference. Any inaccuracies found in the application or supporting documentation may provide cause for potential enforcement action against CARDS NEO, LLC and the amendment, modification, or revocation of this permit modification.
6. CARDS NEO, LLC shall comply with the Oklahoma Solid Waste Management Act, the Environmental Quality Code, and Rules promulgated thereunder, including provisions of the Oklahoma

DRAFT SOLID WASTE PERMIT MODIFICATION (Cont.)

Administrative Code, and all conditions of the Solid Waste Permit. Any permit noncompliance constitutes a violation of the Solid Waste Permit and is grounds for enforcement action, including permit modification, administrative civil penalties, suspension or revocation, and denial of a pending permit modification application.

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The permittee is authorized to operate in conformity with the documents incorporated by reference. Commencing operations under this modification constitutes acceptance of, and consent to, the conditions and terms contained herein.

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

Date: _____

Kelly Dixon
Division Director
Land Protection Division

Date: _____

