

SOLID WASTE DRAFT PERMIT

The Department of Environmental Quality hereby approves the following permit:

Permit Number: New
Permittee: City of Tulsa 440 Transfer Station
Facility Type: Solid Waste Transfer Station
County: Tulsa County
Expiration Date: Upon Department of Environmental Quality Approval of Final Closure

City of Tulsa 440 Transfer Station, having complied with the requirements of the law, is hereby granted permission to operate a Solid Waste Transfer Station Facility at a location owned by the City of Tulsa in Tulsa County, Oklahoma. The Transfer Station will be located at 440 West 23rd Street Ave, Tulsa, Oklahoma on approximately 3.6 acres.

The facility accepts municipal solid waste to promote proper reuse, recycling, and off-site disposal of waste. The City of Tulsa will manage the administration and reporting, and contracts with a private disposal entity for waste transfer, storage, and processing. The facility accepts, sorts, and transfers loads to the appropriate off-site location (landfill, recycler, mulch site, or waste to energy facility).

This Permit has been prepared by the Oklahoma Department of Environmental Quality, pursuant to its authority under the Oklahoma Solid Waste Management Act, 27A O.S. § 2-10-101 *et seq.*, and the Oklahoma Administrative Code (OAC) 252 (Rules) promulgated thereunder. It sets forth conditions and requirements for the operation and maintenance of the City of Tulsa 440 Transfer Station.

This Permit may be further modified, revoked and reissued, or terminated for cause as specified in 27A O.S. §2-3-502 and OAC 252:4. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance on the part of City of Tulsa does not stay the applicability or enforceability of any Permit Condition or any other law providing for protection of public health or the environment from an imminent or substantial endangerment.

Issuance of this Permit does not convey any property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.

The provisions of this Permit are severable. If any part or provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid by a court of competent jurisdiction, the decision of that court or the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

SOLID WASTE DRAFT PERMIT (continued)

Incorporation by Reference: The application submitted to the Land Protection Division on April 25, 2022 is hereby incorporated by reference.

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

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

Date: _____

Kelly Dixon
Director
Land Protection Division

Date: _____

THIS PERMIT IS BASED ON DATA, DESIGN CRITERIA, PLANS, AND SPECIFICATIONS PRESENTED IN THE CITY OF TULSA 440 TRANSFER STATION AS REVISED AND SUPPLEMENTED, WHICH ARE HEREBY APPROVED BY DEQ AND INCORPORATED BY REFERENCE HEREIN. ANY INACCURACIES FOUND IN THE APPLICATION OR SUPPORTING DOCUMENTATION MAY PROVIDE CAUSE FOR POTENTIAL ENFORCEMENT ACTION AGAINST CITY OF TULSA TRANSFER STATION AND/OR THE MODIFICATION OR REVOCATION OF THIS PERMIT.

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A. PERMIT SUMMARY

1. **Name of Site:** City of Tulsa 440 Transfer Station

2. **Type of Site:** Solid Waste Transfer Station

3. **Name of Applicant, Applicant Representative and Applicant Address:**

City of Tulsa

Maureen Turner (Refuse and Recycling Services Manager)

175 East 2nd Street, Suite 15-041, Tulsa, Oklahoma 74103

4. **Map and Street Location of Site**

City of Tulsa 440 Transfer Station

440 West 23rd Street

Tulsa, Oklahoma 74107

Tulsa County, Oklahoma

5. **Legal Description:** A tract of land lying within the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14, Township 19 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma.

6. **Type of Waste(s) to be Accepted:** Municipal Solid Waste such as tire rims, lawn mower (without oil and gas), chain link fence, electronic wastes, general mixed waste (paper, green waste, non-putrescible household waste, furniture, tires latex paint, white goods, construction and demolition (C&D) debris, and sensitive document shredding.

7. **Source(s) of Waste:** Residents of the City of Tulsa and surrounding cities.

8. **Population or Population Equivalent to be Served:** 712,013 persons

9. **Number of Acres in Permitted Boundary:** Approximately 3.6 acres

10. **Buffer Zone:** A 50-foot waste-free buffer zone shall be maintained between the waste handling areas and the permit boundary.

11. **Legal right to property:** The property owner is a unit of government, therefore, a temporary easement for DEQ access is not required.

12. **Siting Criteria and Location Restrictions:** City of Tulsa 440 Transfer Station has complied with all applicable siting criteria. The facility is not located within the 100-year flood plain, drainage basin of a scenic river, wetlands, and no critical wildlife habitats are within the permit boundary. The facility is located within one half mile of an area managed for public recreation/preservation by the Tulsa River Parks Authority (TRPA). The TRPA has no objections to the management of solid waste at the City of Tulsa's 440 Transfer Station.

B. GENERAL CONDITIONS

1. **Duty to Comply:** City of Tulsa 440 Transfer Station shall comply with the Oklahoma Solid Waste Management Act 27A O.S. § 2-10-101 *et seq.* (Act), the Environmental Quality Code (Code) and rules promulgated thereunder, including referenced provisions of the Oklahoma Administrative Code (OAC) 252:515 Management of Solid Waste (Rules), and all conditions of this permit. Any permit noncompliance constitutes a violation of this permit and is grounds for enforcement action; including permit modification, administrative civil penalties, summary suspension or revocation, and denial of a pending permit application.
2. **Duty to Apply:** City of Tulsa 440 Transfer Station shall apply for a permit modification when such application is required by Oklahoma Administrative Code 252:4 and 515.
3. **Need to Halt or Reduce Activity Not a Defense:** It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.
4. **Duty to Mitigate:** City of Tulsa 440 Transfer Station shall take all reasonable steps to minimize or correct any adverse impact on the environment and the public health resulting from noncompliance with this permit or site operation.
5. **Proper Operation and Maintenance:** City of Tulsa 440 Transfer Station shall properly operate and maintain all facilities and systems of treatment and control which are installed or used by City of Tulsa Transfer Station. Proper operation and maintenance includes effective performance of operations and adequate funding, operator staffing and training, and the provision of appropriate waste-handling equipment.
6. **Duty to Provide Information:** City of Tulsa Transfer Station shall furnish to DEQ within a time specified, any information that DEQ may request to determine:
 - a. Whether cause exists for modifying, amending, suspending, or revoking this permit;
 - b. Compliance with this permit; and
 - c. Whether a new or modified permit should be issued.

City of Tulsa Transfer Station shall also furnish to DEQ, upon its request, copies of records required to be kept by this permit and OAC 252:515.
7. **Air Criteria:** City of Tulsa 440 Transfer Station shall ensure that it does not violate any applicable requirements of the Oklahoma Clean Air Act, as amended, or rules promulgated thereunder. City of Tulsa 440 Transfer Station shall adhere to all applicable requirements in OAC 252:100. The burning of any waste at this facility is prohibited.
8. **Inspection and Entry:** City of Tulsa 440 Transfer Station shall allow authorized representatives of DEQ, upon the presentation of credentials as may be required by law, to:

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- a. Enter upon the permitted site or where records required by this permit are kept;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any site construction, transportation, waste storage, waste processing and waste management operations; and
 - d. Sample or monitor, for the purpose of assuring compliance with this permit, any substances or parameters at any location.
- 9. Records:** City of Tulsa 440 Transfer Station shall keep on file this permit, the permit application, all modifications to this permit, all modification applications for this permit and copies of all:
- a. Other permits issued by city, county, state and federal agencies;
 - b. As-built facility construction plans, drawings and specifications;
 - c. Repair and maintenance records;
 - d. All calibration and monitoring data if monitoring is required;
 - e. A daily log to record operational information, including the quantity of NHIW received and the quantity of NHIW shipped off-site for disposal;
 - f. All training records including types of training required, all training received, duration of training, and continuing training;
 - g. Reports filed with DEQ; and
 - h. Closure records.
- 10. Reporting Requirements:** City of Tulsa 440 Transfer Station shall give notice to DEQ as soon as possible of any planned physical alterations or additions to the permitted facility and of any planned changes in the permit or activity that may result in noncompliance with permit requirements. In the event that City of Tulsa 440 Transfer Station becomes aware that it failed to submit any relevant facts or submitted incorrect information in the permit application or in any report to DEQ, it shall promptly submit correct facts or information. Failure to make a prompt submission is grounds for an enforcement action and for the modification or revocation of this permit.
- 11. Transfer of Permit:** This permit may not be transferred to any other person except after notice to and approval of DEQ. No transfer will be approved until the applicant complies with all transfer requirements in OAC 252:4 and 515.
- 12. Corrective Action Requirement:** City of Tulsa 440 Transfer Station shall conduct corrective

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action if inspection of the site indicates the potential for or actual release of contaminants into the environment.

- 13. Duration of Permit:** OAC 252:515-3-5(a) mandates the duration of this permit is for the life of the facility.
- 14. Cessation of Operations:** If City of Tulsa Transfer Station ceases to accept waste for thirty (30) days or more without prior notice to DEQ, OAC 252:515-3-5(c) deems the facility to be in the process of final closure.
- 15. Suspension of Operations:** If City of Tulsa 440 Transfer Station suspends operations of the facility, City of Tulsa must, in accordance with OAC 252:515-3-5(d):
 - a. Provide prior written notice to DEQ of the intent to suspend development or operations;
 - b. Suspension of development or operations beyond one year in duration requires DEQ approval and annual renewal;
 - c. If site development or operations remain suspended for more than one year, without DEQ approval to continue suspension, the facility is deemed to be in the process of final closure and must perform closure and post-closure activities in accordance with he approved with the approved closure and post-closure plans and Subchapter 25 of OAC 252:515; and
 - d. If financial assurance is required, post full financial assurance in accordance with OAC 252:515-27 and the approved cost estimates.
- 16. Resuming Operations:** If City of Tulsa 440 Transfer Station ceases operations, then prior to resuming such operations, the permit must be modified if, in the opinion of DEQ, the permit does not comply with all current laws and regulations.
- 17. Consent to Conditions:** Commencing construction and operation under this permit will constitute consent to all permit conditions.

C. OPERATING CONDITIONS

- 1. Putrescible Waste:** The City of Tulsa 440 Transfer Station does not accept putrescible waste at any time. If unavoidable delivery of putrescible waste occurs, the waste will be processed within 24 hours by disposing off-site.
- 2. Prohibited wastes:** Pursuant to OAC 252:515-19-31, any acceptance, storage, treatment, and/or disposal of wastes not authorized in this Permit is prohibited, except as approved by DEQ. Hazardous waste, radioactive waste, and regulated PCB wastes are strictly prohibited.
- 3. Public access control:** City of Tulsa 440 Transfer Station uses gates and a chain link fence as site security.
- 4. Measuring waste:** Collected material will be estimated on a volume basis. Weight tickets are provided by the destination facilities for the transfer station records.

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5. **Disease Vectors:** City of Tulsa 440 Transfer Station does not accept putrescible waste; therefore, minimizing disease vectors.
6. **Blowing litter:** Blowing litter is kept to a minimum and captured on site by the perimeter chain- link fence.
7. **Leachate Management and discharges:** City of Tulsa 440 Transfer Station will utilize covered storage to protect materials from rainfall. Discharges from the facility will consist exclusively of stormwater. The facility will comply with applicable rules regarding discharges and implement best management practices for stormwater discharges.
8. **Salvage and recycling:** City of Tulsa 440 Transfer Station will conduct salvage and recycling operations in conformance with the Salvage and Recycling Plan contained in the Permit Application. The following items will be sorted, stored (no more than 90 days and in a covered area), and recycled at the facility:
 - Metal: Tire rims, lawn mowers (without oil and gas) chain link fencing, etc. Items will be stored under a covered area.
 - Electronics: TVs, computers, monitors cell phones, printers, keyboards, etc. Items will be stored in an enclosed building.
 - Tires
 - Yard waste- to be taken to the City of Tulsa Mulch Site
 - White goods (with and without freon)
 - Latex paint
 - Recyclables
9. **Recordkeeping and reporting:** City of Tulsa 440 Transfer Station shall maintain the approved operating plan, and all operating records concerning the planning, construction, operation and closing of the facility. City of Tulsa 440 Transfer Station shall maintain all records required by OAC 252:515 until the post-closure monitoring period, if necessary, is terminated.
10. **Residue management:** City of Tulsa 440 Transfer Station shall appropriately characterize as hazardous or non-hazardous all processed waste and residues produced by the facility and dispose of them in a properly permitted disposal facility.
11. **Aesthetic Enhancement:** City of Tulsa 440 Transfer Station shall plant and maintain various types of trees and shrubs throughout the site to enhance the aesthetic quality of the site.

- 12. Large or bulky items:** Large and bulky items not suitable for facility operations shall not be accepted at City of Tulsa 440 Transfer Station. If unavoidable delivery of large or bulky items occurs, the waste will be processed within 24 hours by disposing offsite.
- 13. Disposal facility:** City of Tulsa 440 Transfer Station shall dispose of all transferred waste at a site permitted to accept such waste.
- 14. Freon:** City of Tulsa Transfer Station utilizes an extraction system to recapture and recycle freon from white goods in accordance with 40 CFR Part 82, Subpart F.

D. Operating Record

An operating record is required to be maintained on-site containing all records concerning the planning, operation, closing and post-closure monitoring of the facility as applicable. Such records are maintained until closure is approved and include those records required to be maintained and/or submitted to ODEQ by Subchapter 29 of Chapter 15 (OAC 252:515-29-4) as well as those records required to be maintained and/or submitted to ODEQ by Subchapters 3, 5, 17, 19, 25 and 27 (OAC 252:515-19-40). Information maintained as part of the operating record at the facility includes but is not limited to:

- An entire copy of the Tier II Transfer Station Permit under which the facility operates, including all associated documents required by the DEQ for permit approval.
- Verification of Location Restrictions as required by Subchapter 5 of OAC 252:515.
- A copy of the approved Stormwater Management Plan as required by Subchapter 17 of OAC 252:515.
- A copy of the approved Operational Plan as required by Subchapter 19 of OAC 252:515.
- A copy of the approved Closure Plan as required by Subchapter 25 of OAC 252:515.
- A copy of the Waste Exclusion Plan as required by Subchapter 29 (OAC 252:515-29-4).
- All waste accepted for disposal at the facility will be estimated on a volume basis where one cubic yard of waste will be estimated to weigh one-third ton. Actual volumes will be documented by weigh tickets from receiving disposal facilities. This information will be recorded and maintained in the operating record.
- Any employee training including training to demonstration compliance with the Waste Exclusion Plan as required by Subchapter 29 of OAC 252:515.
- Waste Inspection Forms for every drop-off transaction.
- Any waste identified and rejected including personal information on participant maintaining ownership of rejected waste.
- Waste Management Facility Evaluation for any contractor or sub-contractor utilized for disposal of waste.
- Waste Hauler Manifests for each load transported out of the facility which includes type and weight of waste transported.
- Site Inspection Forms to be completed at the end of each operational day.

1. Notification of rejected waste:

- a. DEQ shall be notified by the end of the next working day of: (A) any waste identified and rejected prior to receipt as a prohibited waste; or (B) any load identified and rejected at the gate, during random inspections, as a prohibited waste; and
- b. Such notification shall describe the reason for rejection and include: (A) the date of rejection; (B) the name, address, phone number and contact person of the waste generator when such data can be obtained; and/or (C) the name of driver, tag number of the vehicle, carrier name, address, telephone number and contact person when such data can be obtained.

2. Twenty-Four Hour Reporting

MPF shall report to DEQ any noncompliance which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time MPF becomes aware of the circumstances. The report shall include the following:

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

3. Written Incident Report

A written report shall be submitted to DEQ within five (5) days of the time MPF becomes aware of the incident. The written report shall contain a description of the situation and the cause; the period(s) of the situation (including exact dates and times); whether the situation has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the situations. MPF may request DEQ to extend the five-day written notice requirement in favor of a written report within 15 days.

E. CLOSURE CONDITIONS

City of Tulsa 440 Transfer Station shall close the facility in accordance with the approved closure plan and in a manner that minimizes or eliminates the need for further maintenance

and controls.

1. Closure Plan

OAC 252:515-25-2 requires City of Tulsa Transfer Station to maintain an approved closure plan for the facility. The Closure Plan contained in the application and the regulations contained in OAC 252:515-25 will be followed for clean closure of the municipal solid waste transfer station.

City of Tulsa 440 Transfer Station shall follow the timelines below for notifications and certifications of closure to be submitted to DEQ:

- a. City of Tulsa 440 Transfer Station shall give notification to DEQ at least thirty (30) days prior to closure of the facility.
- b. Closure activities shall start within ninety (90) days after ceasing accepting waste at the facility or upon DEQ approval of closure;
- c. Closure activities shall be completed according to the approved Closure Plan within one hundred eighty (180) days after closure activities are initiated;
- d. Certification of final closure: Within sixty (60) days after the completion of final closure for the entire site, City of Tulsa 440 Transfer Station shall submit to DEQ a notarized statement signed by an authorized representative of City of Tulsa 440 Transfer Station, and a certification, signed and sealed by an independent professional engineer registered in the State of Oklahoma, that the site was closed in accordance with the approved closure plan, the permit, and all applicable Rules.
- e. Closure approval: Final closure of the site must be in accordance with this permit, the approved Closure Plan, and regulatory requirements and must be approved in writing by DEQ.

If City of Tulsa 440 Transfer Station proposes to alter the closure plan as set forth in the relevant sections of the application, City of Tulsa 440 Transfer Station shall notify DEQ prior to altering the closure plan and shall apply for a permit modification.

If DEQ finds that City of Tulsa 440 Transfer Station cannot clean - close the facility, DEQ shall require City of Tulsa 440 Transfer Station to enter into post-closure care. DEQ must approve the final closure of City of Tulsa 440 Transfer Station before the post-closure period can begin.