February 19, 2019

Oklahoma Department of Environmental Quality
Land Protection Division
707 N. Robinson
Oklahoma City, OK 73101

SUBJECT: Miller Environmental Transfer
Solid Waste Permit Application
Material Processing Facility

DEQ,

On behalf of our client, Miller Environmental Transfer, LLC, we are submitting the enclosed Solid Waste Permit Application to construct and operate a Solid Waste Processing Facility in Tulsa, OK.

Please contact me at (918) 610-3543 or by email at tblachly@apexcos.com if you have any questions or need additional information.

Sincerely,

Tom Blachly
Client Program Manager
Apex Companies, LLC

Enclosure as Described

cc: Todd Ray
Brian Casement

SOLID WASTE PERMIT APPLICATION

Submitted to:

Oklahoma Department of Environmental Quality
707 N Robinson
Oklahoma City, OK 73101

Submitted by:

Miller Environmental Transfer
4231 S Elwood Ave
Tulsa, OK 74107

February, 2019

Prepared by:

Apex Companies, LLC
4608 S. Garnett, Suite 100
Tulsa, OK 74146

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Introduction

FACILITY OVERVIEW

Miller Environmental Transfer (MET) is applying for a permit to conduct industrial solid waste processing at a new facility in Tulsa to be called the *Material Processing Facility* (MPF). The facility will provide a service to industrial clients to help to reduce the volume of non-hazardous industrial waste being land disposed by processing those materials into a beneficial use such as recycling, recovery, reuse and energy conversion. Incoming waste materials will be processed using one or more of the following operations:

1. Blending
2. Repackaging
3. Volume reduction
4. Oil removal
5. Neutralization
6. Solids removal
7. Filtration
8. Solidification
9. Shredding

Processed waste materials will result in formation of facility "products" that will be transported to a final use and/or disposal destination upon meeting the receiving facility's acceptance criteria. Those destinations generally include the following:

1. Waste-to-Energy facility
2. Recovery for recycling
3. Recovery for re-use
4. Treatment for wastewater discharge (City of Tulsa POTW)
5. Landfill disposal (Tulsa area landfill(s))

The MET-MPF will conduct processing inside of a fully enclosed Process Building that will also include an onsite laboratory. Lab testing of incoming waste will be conducted to assure they meet the facility acceptance criteria, while facility products will be tested to assure they meet the acceptance criteria of the final disposition destination.

Waste materials will be delivered to the facility by licensed waste haulers by either truck or railcar, in both bulk and non-bulk forms, and will consist only of non-hazardous industrial wastes in either liquid, semi-solid or solid forms.

APPLICATION FOR A Solid Waste Processing PERMIT

Date: February 19, 2019 County: Tulsa

Send to:
Solid Waste Permitting Unit
Waste Management Division
Dept. of Environmental Quality
707 N. Robinson (PO Box 1677)
Oklahoma City, OK 73101-1677

FOR DEQ USE

DEQ Log No. _____
No. Copies _____

Date Received: _____

Miller Environmental Transfer proposes to establish, construct, operate, and maintain
(Applicant's Name)
the Material Processing Facility, located at NW/4, SE/4, SE/4, Section 23,
(Facility Name) *(Exact legal description:*
Township 19N, Range 12E
metes & bounds, platted lot, or land survey. Append extra sheets if necessary)

in Tulsa County, Oklahoma, and hereby makes application for a permit to establish, construct, operate, and maintain a solid waste processing facility as required by **Oklahoma Solid Waste Management Act** and Rules pursuant thereto.

Brief description of application:
Application requests a solid waste permit be issued to allow for processing of non-hazardous industrial waste to reduce landfill disposal and alternatively allow for final disposal in more sustainable disposal methods such as recycling, reuse, and energy conversion.

PROFESSIONAL ENGINEER
Brian A. Casement
16873
OKLAHOMA

Applicant or Authorized Agent:

Signature
Todd Ray
Typed Name
Address: 4231 S Elwood
City: Tulsa State: OK
Date signed: 2/19/19
Phone: (918) 447-2152

Preparing Engineer:

Signature
Brian A. Casement, P.E.
Typed Name
Address: P.O. Box 688
City: Owasso State: OK
Date signed: 02/19/2019
Phone: (918) 740-7650

Facility Address (if any):
Material Processing Facility
3800 S Elwood Avenue
Tulsa OK 74107

DEQ USE ONLY

VERIFICATION[1]

STATE OF OKLAHOMA)
) ss
COUNTY OF Tulsa)

Todd Ray, of lawful age, being first duly sworn, upon oath state that I have read the foregoing APPLICATION FOR A solid waste processing PERMIT, that I am familiar with the matters set forth therein, and that the same are true to the best of my information and belief.

Applicant

Subscribed and sworn to before me this 19th day of February, 2019, by Todd Ray (Applicant or legal representative).

Notary Public

My commission expires:

04/19/2019

SARA CARTER
Notary Public, State of Oklahoma
Commission # 18003850
My Commission Expires 04-17-2022

[1] This Verification is required for a Tier III application.

ATTACHMENT A

Permit Application Checklist

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

APPLICATION REVIEW **TRANSFER STATION & PROCESSING FACILITIES CHECKLIST** **LAND PROTECTION DIVISION** **SOLID WASTE PROGRAM** **OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY**	Facility Name: Material Processing Facility County: Tulsa Date: February 19, 2019	OAS 252:515 PROCESSING FACILITIES
	Administrative Reviewer: Start Date: Completion Date: Technical Reviewer: Start Date: Completion Date: Issuance Deadline:	DEQ Form Number 515-101 Shaded areas for DEQ use only

ITEM #	STATE REGULATIONS OAC 252:515 OR GUIDELINES	GENERAL DESCRIPTION	INFO LOCATION	TECHNICALLY COMPLETE Yes/No/NA	REMARKS
FILING OF APPLICATION					
PUBLIC PARTICIPATION AND NOTICE					
Information regarding the pending application shall be made available to the public as required in O.S. 27A Sec. 2-14-301, et. Seq., OAC 252:4-7-13. This notice is to allow concerned individuals an opportunity to voice opposition or support.					
1	27A O.S. 2-14-301,302,303 & 252:4-7-13(d)	Public Notice: Shall be made with proof submitted to the Department within twenty (20) days of publication, consisting of a copy of the publication in one (1) newspaper, local to the facility site, in addition to an affidavit from the publishers showing the date of publication.	(to be provided)		
CERTIFICATION					
2	252:515-3-33 & 252:4-7-13(b)	Oath Required: Applicant shall sign the permit application under oath on forms provided by the DEQ.	Introduction		
3	252:515-3-34(a),(b),(c)	Legal Right to Property: (a) Right of Access: The permit application for a new solid waste disposal facility, or expansion of the permit boundaries of an existing solid waste facility, must contain: (1) A true and correct copy of a legal document filed in the county in which the facility if located, possessor a legal right to access and use the property including any on- or off-site soil borrow areas, throughout the life of the site and the required post-closure monitoring period; and (2)A certification, by affidavit, that the applicant owns the real property, has current lease, or easement to accomplish the permitted purpose, or has provided legal notice to the landowner. (b) Option for Use: If an option for right of access if predicated upon the issuance of a permit prior to the exercise of that option, then the applicant must submit a copy of the option with the permit application. Once the permit has been issued, the applicant must comply with (A) of this Section prior to beginning construction. (c) Easement to the DEQ: Unless the property owner is a unit of government, a temporary easement shall be executed allowing the DEQ and/or its contractors the right to access the property to perform closure, post-closure monitoring, or corrective action in the event of default by the owner/operator.	B(1)(c) / C B(1)(d) / D NA B(3)(a) / G		

4	252:515-3-35(a),(b),(c) & 27A O.S. 2-10-301(e)	Engineer of Record: (a) Professional engineer seal required. Maps, drawings, surveys, calculations, information, and data submitted in support of permit applications for new solid waste disposal facilities or modifications of existing permits, must be prepared and stamped or sealed by a professional engineer licensed in the State of Oklahoma if the facility serves a population equivalent of 5,000 persons or more. (b) Seal placement: The engineer's stamp or seal shall be placed on the application page. Each map and drawing included in the application shall be stamped or sealed in accordance with the requirements of the State Board of Registration of Professional Engineers and Land Surveyors. (c) Failure to Seal: Documents that are not stamped or sealed in accordance with this Section will be returned to the applicant.	Introduction Introduction -		
GENERAL INFORMATION					
	252:515-3-36(a)	Permit Applications (a) New applications: A permit application for a new solid waste disposal facility shall include all the information required by the Oklahoma Uniform Environmental Permitting Act, including:	-		
5	252:515-3-36(a)(1)	The owner/operator's name, mailing address and phone number:	B(1)(a)		
6	252:515-3-36(a)(2)	The name by which the facility will be known, the mailing address of the facility, the street address of the facility (if different from the mailing address), and the facility phone number;	B(1)(b)		
7	252:515-3-36(a)(3)	A disclosure statement completed in accordance with OAC 252:515-3-31(g);	B(1)(e) / E		
8	252:515-3-36(a)(4)	A legal description, by metes and bounds; section, township, and range, or parts thereof; or book and page number of plat records for platted property, of: (A) the proposed permit boundary; (B) the proposed waste processing and/or disposal areas; and (C) both on- and off-site soil borrow areas, if applicable;	B(1)(f) / H H NA		
9	252:515-3-36(a)(5)	Latitude and longitude of all corners of the permit boundary and the facility entrance;	H		
10	252:515-3-36(a)(6)	The location of the site from the nearest town or city;	NA		
11	252:515-3-36(a)(7)	A description of all processing, storage, and disposal operations and units;	B(4)(c - g)		
12	252:515-3-36(a)(8)	A description of the anticipated waste streams and amount received per day;	B(4)(l)		
13	252:515-3-36(a)(9)	The names of the municipalities and/or counties included in the service area;	NA		

14	252:515-3-36(a)(10)	The estimated population served to be determined as follows: (A) the population of each town or city served by the disposal facility, as published in the last decennial census; or (B) the population equivalent served, calculated by dividing the anticipated amount of waste received per day by 4.4 pounds per person per day;	NA		
15	252:515-3-36(a)(11)	The types of road construction and materials to be used to ensure that all access roads within the site are passable during inclement weather by normal vehicular traffic;	B(3)(c)		
16	252:515-3-36(a)(12)	A list of anticipated heavy equipment to be used in the construction and operation of the site;	B(3)(d)		
17	252:515-3-36(a)(13)	Maps and drawings as required by parts (5) and/or (7) of 252:515-3-36(a)	B(1)(f) / H		
18	252:515-3-36(a)(14)	Data, plans and specifications for the following: (A) a demonstration the proposed facility meets the location restrictions of Subchapter 5 of this Chapter; (B) an operational plan describing how compliance with the operational requirements of Subchapter 19 of this chapter, as applicable to the proposed facility, will be achieved; (C) a plan describing how compliance with the storm water management requirements of Subchapter 17 of this Chapter will be achieved; (D) plans for closure of the facility in accordance with Subchapter 25 of this Chapter; and (E) a plan for achieving compliance with the aesthetic enhancement requirements of OAC 252:515-3-37; and	B(2) B(4)(m) B(4)(a) B(3)(h) B(3)(l)		
19	252:515-3-36(a)(15)	Establishment of financial assurance in accordance with Subchapter 27 of this Chapter.	B(3)(j)		
20	252:515-3-36(b)	Information not identified: The DEQ may require the applicant to submit additional data, revise design specifications or propose environmental safeguards as necessary to meet DEQ rules for the protection of human health and the environment.	TBD		
21	252:5115-3-36(c)	Permit modification applications: An applicant requesting a modification to an existing permit shall submit information identified in this Part relating to the proposed modification.	NA		
22	252:515-3-37	Aesthetic enhancement: Applications for new permits or expansions of an existing permit boundary, shall include plans to enhance the visual harmony of the new disposal facility or the expansion area with the surrounding area, and reduce the transmission of dust and noise from the facility. Such plans may include placement of berms, fences, shrubbery, trees, or other such materials to achieve desired result.	B(3)(l)		
MAPS & DRAWINGS					

23	252:515-3-51(a)	Applicability: The maps and designs identified in this Part shall be submitted with the permit applications for: (1) all new solid waste disposal facilities; (2) expansions of permit boundaries of existing solid waste disposal facilities; (3) expansions of waste handling or disposal boundaries of existing solid waste disposal facilities; and (4) any other modification to an existing permit where the data originally submitted would be made ambiguous, inaccurate, or out of data by the proposed modification.	(all maps comply) NA NA		
24	252:515-3-51(c)	Illegible: the permit application will be considered administratively incomplete if any maps or drawings submitted are not legible.	(all maps comply)		
25	252:515-3-51(d)	Map sequence: All maps and designs shall be submitted in the permit application in the sequence identified.	(all maps comply)		
26	252:515-3-51(e)	Map scale: Unless otherwise identified, all maps submitted as part of a permit application shall be prepared at a scale of one inch equals one hundred feet (1" = 100'). An alternative scale may be used with approval of the DEQ.	(all maps comply)		
27	252:515-3-51(f)	Map details: (1) All maps shall show as a minimum, legend, title, north arrow, permit boundary, buffer zone, and boundaries of waste disposal or processing areas. (2) If applicable, the locations of groundwater monitoring wells, and gas monitoring probes shall be identified.	(all maps comply) NA		
28	252:515-3-52	General location map: The permit application shall include a county highway map published by the Oklahoma Department of Transportation showing the facility location and any airports within six miles of the facility. If the facility is located within a municipality and a municipal map with better information is available, then it may be used.	E		
29	252:515-3-53	Flood plain map: The permit application shall include a flood plain map from one of the following sources depicting the limits and elevations of any 100-year flood plain on or within one mile of the permit boundary of the proposed facility or expansion area: (1) Flood Insurance Rate maps published by the Federal Emergency Management Agency, or maps prepared by the U.S. Army Corps of Engineers, Flood Plain Management services; (2) Maps of Flood Prone Areas published by the U.S. Geological Survey; or (3) site specific determinations by the U.S. Army Corps of Engineers at the request of the applicant.	B(2)(d) J		

30	252:515-3-54(a) & (b)	Quadrangle topographic map: (a) Required map: The permit application shall include an original U.S. Geological Survey 7.5 minute series topographic quadrangle map. (1) If 7.5 minute series maps have not been printed, then 15 minute series may be used. (2) If the disposal facility is located on the edge of a quadrangle, then adjoining maps shall be provided. (b) Required details: The quadrangle topographic map shall clearly depict: (1) the location of the facility permit boundaries; (2) access routes within one mile of the facility; (3) homes and buildings within one mile of the facility; (4) public water and wastewater collection, treatment, and distribution facilities within one mile of the facility; (5) receiving waters and surface variations within one mile of the facility; and (6) water wells, including private and municipal, potable and irrigation water within one mile of the facility.	I		
31	252:515-3-55(a), (b) & (c)	Existing contour map: (a) Required map: The permit application shall include a constructed map showing the topographic contours prior to any operations at the facility. (b) Contour intervals: The contour interval on the map shall not be greater than two feet. (c) Required details: The existing contour map shall show the location and quantities of surface drainage entering and exiting the facility, and the locations of all boreholes with their surface elevations.	NA		
32	252:515-3-56(a) & (b)	Site map: (a) Required map: The permit application shall include a site map, which may be the existing contour map. (b) Required details: The site map shall show the following, as applicable to the facility: (1) the dimensions of the permit boundary as indicated by the legal description; (2) the receiving processing, storage or disposal areas; (3) buffer zones; (4) the locations and surface elevations of each borehole, monitor well, test well, monitoring site, test pit, sampling site and permanent benchmarks; (5) the surface and top casing elevations for each monitoring well or gas probe; (6) the surface drainage, including location of diversion ditches, dikes, dams, pits, ponds, lagoons, berms, terraces, and other relevant information; (7) the location of fencing and gates, utility lines, pipelines, and easements; (8) the access roads into and on the site; (9) employee and equipment shelters; and (10) on- and off-site soil borrow areas.	H		

33	252:515-3-57	Design drawings: The permit application shall include, as necessary, design drawings and specifications for: (1) receiving, processing, storage or disposal areas; (2) liner construction; (3) Leachate collection systems; (4) typical well installation; (5) dike sections; (6) drainage channels; (7) groundwater monitoring wells, gas monitoring probes, and piezometers; (8) retention structures or other groundwater and surface water protection measures; and (9) any other design drawings or specifications necessary to describe the proposed activities for the facility.	NA		
LOCATION RESTRICTIONS					
34	252:515-5-31 (a)	Scenic Rivers: Not to be located within the drainage basin of any river designated under Oklahoma Scenic Rivers Commission (OSRC) Act unless statement is obtained from OSRC or Oklahoma Tourism & Recreation Department.	B(2)(a)		
35	252:515-5-31 (b)	Recreation/Preservation Areas: Not to be located within one-half (1/2) mile of area dedicated & managed for public recreation or natural preservation by any governmental agency. Exceptions granted if application includes statement from appropriate agency that proposed site not expected to adversely affect recreation or natural area.	B(2)(b) / K		
36	252:515-5-31 (c)	Endangered & Threatened Species: Statement required from Oklahoma Department of Wildlife Conservation (ODWC) and Oklahoma Biological Survey (OBS) concerning endangered or threatened wildlife or plant species within one (1) mile of proposed site. If exist, impact statement required.	B(2)(c) / L		
37	252:515-5-32(a)	100-year flood: Solid waste disposal facility should not be located in the 100-year flood plain. Variance available for transfer station with requirement that no waste retained during non-operating hours.	B(2)(d) / J		
38	252:515-5-32(b)	Public water supply:	B(2)(e)		
39	252:515-5-32(c)	Wellhead protection area	B(2)(f)		
40	252:515-5-32(d)	Wetlands: Not to be located in wetlands. Letter required from Oklahoma Conservation Commission (OCC) stating proposed site not located in wetlands.	B(2)(g)		
41	252:515-13-51	Leachate Management	NA		

42	252:515-17-3	Discharges	B(4)(a)		
43	252:515-5-52(a)	Utility Separation: A minimum horizontal separation of twenty-five (25) feet shall be maintained between a landfill disposal site and any above-ground or underground pipeline; or transmission line.	NA		
44	252:515-19-31(a), (b), (c), & (d)	Prohibited Wastes: (a) Hazardous, radioactive, regulated PCB waste. The disposal of any quantity of hazardous, radioactive, or regulated polychlorinated biphenyl (PCB) waste at a solid waste disposal facility is prohibited. (b) Regulated medical waste. The disposal of regulated medical waste at a solid waste disposal facility is prohibited, unless the facility is a permitted regulated medical waste processing facility. (c) Asbestos. The disposal of friable asbestos waste at a solid waste disposal facility is prohibited unless the facility is a MSWLF or NHIW landfill specifically authorized by the permit to accept such waste. (d) NHIW. The disposal of NHIW at a solid waste disposal facility is prohibited, unless specifically authorized by the permit.	B(4)(l) P R		
45	252:515-19-32	Public Access Control: Control public access and prevent unauthorized traffic and uncontrolled dumping by using artificial and/or natural barriers.	B(3)(f)		
46	252:515-19-33(c)	Measuring Waste Procedure: All waste to be measured by either weight or volume (cubic yards).	B(4)(m)		
47	252:515-19-35(a) & (b)	Litter: Blowing litter to be controlled so as not to leave the site. All facility users shall adequately cover loads to prevent blowing litter. Entire site to be policed daily.	B(4)(s)		
48	252:515-19-36(a), (b) & (c)	Air Quality: (a) All disposal facilities shall be operated in compliance with the Oklahoma Clean Air Act, rules of the Air Quality Division of the DEQ, and any other requirements of an approved State Implementation Plan. (b) Open burning of solid waste is prohibited. (c) Dust control: All disposal facilities shall be operated to prevent the discharge of any visible fugitive dust emissions beyond the property boundaries so as to damage or interfere with the use of adjacent properties, or to cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards.	B(4)(s)		

49	252:515-19-37(b)	Disease Vector Control: On-site populations of disease vectors shall be controlled using techniques appropriate for the protection of human health and the environment.	B(4)(s)		
50	252:515-19-38(b) & (c)	(b) Buffer Zones: Unless otherwise specified in this Subsection, all disposal facilities shall be designed and maintained with a waste-free buffer zone at least 50 feet in width between all waste disposal an/or handling areas and adjacent property. The buffer zone shall be contained within the permit boundary described in the permit application. (c) Use of buffer zone. Buffer zones and other restricted areas may be used for the temporary collection and storage of source separated recyclable materials, if such use is described in an approved recycling plan.	H		
51	252:515-19-39(a)	Salvage and recycling: Salvage/recycling operations shall be conducted in accordance with a written plan approved by the DEQ.	B(4)(d) B(4)(e) B(4)(f) B(4)(g)		
52	252:515-19-40(a)	Recordkeeping and reporting: An operating record shall be maintained near each solid waste disposal facility, containing all records concerning the planning, construction, operation, closing, and post-closure monitoring of the facility. Such records shall be maintained until the post-closure monitoring period is terminated and shall include, but are not necessarily limited to, those records required to be maintained and/or submitted to the DEQ by Subchapters 7, 9, 11, 13, 15, 29, and 31 of this Chapter.	B(4)(bb)		
53	252:515-19-91(a)	Processing: All putrescible waste delivered to a processing facility shall be processed within 24 hours.	B(4)(l)		
54	252:515-19-92	Large or Bulky Items: Provisions to be made for large or bulky items not suitable for facility operations. Narrative of handling procedure shall be included.	B(4)(p)		
55	252:515-19-93	All processed waste and residues produced by the facility shall be appropriately characterized as hazardous or non-hazardous and disposed in a properly permitted disposal facility.	B(4)(q) B(4)(bb)		
CLOSURE AND POST CLOSURE CARE					
56	252L515-25-2(a)	Closure plan required: A closure plan shall be submitted to the DEQ for approval describing how compliance with the requirements of Part 3 of this Subchapter will be achieved.	B(3)(h) B(3)(i) B(3)(j)		
57	252:515-25-2(b)	Post-closure plan: if required shall be submitted with the operational plan.	B(3)(k)		

58	252:515-25-2(c)	Plan amendments: An amended closure or post-closure plan shall be submitted to the DEQ for approval: (1) when a cost estimate adjustment is required; or (2) with each application for a modification of the permit when such modification will affect closure or post-closure duties or requirements.	NA		
59	252:515-25-3(a) & (b)	Records retention: (a) Final closure: Copies of all closure documentation shall be maintained on fill at the site or at the owner/operator's place of business until the DEQ approves the completion of final closure. (b) Post-closure: If post-closure monitoring is required, final closure documentation shall be maintained through the post-closure monitoring period.	B(4)(bb)		
60	252:515-25-4	Corrective Action: If at any time during closure activities or post-closure monitoring, inspection of the facility and/or review of monitoring data indicates an actual release of contaminants into the environment, the DEQ may require corrective action to eliminate or mitigate such a release.	-		
61	252:515-25-31	Performance standard: The facility shall be closed in accordance with the approved closure plan and in a manner that minimizes the need for further maintenance and controls and minimizes post-closure escape of waste and waste constituents into the environment.	-		

62	252:515-25-32(a)	Contents of closure plan: (a) The closure plan for all disposal facilities shall include the following as a minimum: (1) identification of site-specific closure activities, a description of how each is expected to be performed, and a schedule for completing all activities; (2) calculation of closure cost estimates in accordance with Subchapter 27 of this Chapter, unless the facility is a transfer station, processing facility or composting facility that principally manages municipal solid waste, or is a yard waste composting facility; (3) an estimate of the maximum inventory of waste ever on-site over the active life of the facility; (4)detailed plans for (A) identifying and removing from the site, all equipment, temporary buildings and other improvements not designated as permanent in the permit application; (B) reworking or replacing defective groundwater monitor wells, gas wells, and other defective monitoring equipment, if any; (C) monitoring ground and surface water, if required; (D) collecting and analyzing soul and water samples; (E) disposing of final wastes and affected soils; (F) decontamination of facility structures, if necessary; (G) maintaining site security and access control, if post-closure monitoring is required; (H) redesigning final closure in accordance with existing site conditions and applicable rules; (I) preparing final closure certification and other required documents and notices; and (J) performing any other tasks necessary to achieve final closure of the site.	B(3)(h) B(3)(i) B(3)(j)		

63	252:515-25-33(a)	DEQ notification: The DEQ shall be notified in writing prior to beginning final closure of the facility.	B(3)(h)		
64	252:515-25-33(b)	Beginning closure activities: closure activities shall begin no later than 90 days after final receipt of wastes at the facility or final receipt of wastes into a disposal cell, as applicable.	B(3)(h)		
65	252:515-25-33(c)	Completing closure activities: (1) 180 days: closure activities shall be completed according to the approved closure plan within 180 days after closure activities are initiated. (2) Extensions allowed: extensions of the closure period may be granted by the DEQ if the owner/operator demonstrates that closure will, of necessity, take longer than 180 days and that all steps have been taken, and will continue to be taken, to prevent threats to human health or the environment from the unclosed cell or facility.	B(3)(h)		
66	252:515-25-34(a) & (c)	Certification of final closure	B(3)(h)		
67	252:515-25-35(a)&(b)	Final closure approval and extension periods	B(3)(h)		
69	252:515-25-52(a) &(b)	Extension of Post closure period	NA		
70	252:515-25-53	Contents of post-closure plan, if applicable.	NA		
71	252:515-25-54	Post-closure operational requirements, if applicable.	NA		
72	252:515-25-55	Post-closure use of the property: (a) Maintain integrity (b) DEQ approval	NA		
73	252:515-25-56	Certification of post-closure performance	NA		
FINACIAL ASSURANCE					
74	252:515-27-2	Effective date of Financial assurance: (a) Closure and post-closure care: DEQ approved financial assurance for closure and post-closure care must be established prior to the initial receipt of waste or April 9, 1997, whichever is later. (b) Corrective action: DEQ approved financial assurance for corrective action must be established no later than 120 days after the corrective action remedy has been selected in accordance with Part 13 of OAC 252:515-9, or an alternative corrective action plan has been approved.	B(3)(j)		
75	252:515-27-3	Duty to maintain financial assurance	B(3)(j)		
76	252:515-27-5	Permit transfer with change of owner or operator	-		
77	252:515-27-6	Effect of non-renewal of, or failure to maintain or provide, financial assurance	-		
78	252:515-27-7	Substitute financial assurances	-		
79	252:515-27-31 thru 33	Cost estimates, detailed, for Closure and post-closure	B(3)(i)		

80	252:515-27-71 & 252:515-27-72	Financial assurance mechanisms requirements and multiple mechanism allowablility	B(3)(i)		
81	252:515-27-73 thru 252:515-27-85	Allowable types of financial assurance: cash, certificate of deposit, trust fund, escrow account, surety bond, letter of credit, insurance, corporate financial test, local government financial test, corporate guarantee, local government guarantee, state approved mechanism	B(3)(i)		
WASTE EXCLUSION PLAN					
82	252:515-29-2	Waste exclusion plan required	P		
83	252:515-29-3(a)	Random inspections	P		
84	252:515-29-3(b)	Inspection records	P		
85	252:515-29-3(c)	Personnel training	P		
86	252:515-29-3(d)	Trained personnel on-site	P		
87	252:515-29-3(e)	Notification of rejected waste	P		
88	252:515-29-3(f)	Safe storage of prohibited wastes	P		
89	252:515-29-3(g)	Proper disposal of prohibited wastes	P		
90	252:515-29-3(h)	Verification of disposal of prohibited wastes	P		
91	252:515-29-4	Maintain records	P		

ATTACHMENT B

General Information

ATTACHMENT B

General Information

1. FACILITY INFORMATION

a. **Owner/Operator:**

Name: Miller Environmental Transfer, LLC
Address: 4231 S Elwood Ave, Tulsa OK 74107
Contact: Todd Ray
Title: President
Phone: 918.447.2152
Email: todd@millerenvtransfer.com

b. Facility:

Name: Material Processing Facility (MPF)
Location: 3800 S. Elwood Ave, Tulsa OK 74107
Mail Address: 4231 S. Elwood Ave, Tulsa OK 74107
Contact: Todd Ray
Title: Facility Manager
Phone: 918.447.2152
Email: todd@millerenvtransfer.com

c. Property Owner

Miller Investments and Properties, LLC
PO Box 665
Stroud, OK 74079-0665

A County record of ownership is shown in **Attachment C**.

d. Tenancy Demonstration

Documentation of tenancy for the site is included in **Attachment D**.

e. Disclosure statement

In accordance with 2252:515-3-31(g), the required Disclosures are provided in **Attachment E.**

f. General Location and Legal Description

The site is located within the City of Tulsa. The legal description of the leased tract is provided below, which covers an area of 10.21 acres and is located in Section 23, Township 19N, Range 12E. General Location Maps are shown in **Attachment F**.

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Legal Description: Beginning W24.75' NEC, SE/4, SE/4 TH W1291.30' TH S3872.11' TH SW12.13' TH S473.42' TH SE272.45' TH NELY ON CRV 407.53' TH NE213.30' TH ELY ON CRV140.49' TH N358.39' TH E635' TH N100' POB

g. Aerial view of location

h. Aerial view of general area

i. Photos of facility entrances (pre-construction)

Primary facility entrance looking west at 3800 S Elwood Ave

Secondary facility entrance looking north from West 41st Street

2. SITING REQUIREMENTS

a. Scenic Rivers

The facility will be located in the Arkansas River watershed. The Arkansas River has not been designated as a Scenic River in the Oklahoma Water Quality Standards.

b. Recreation/Preservation Areas

Historical Preservation Areas: There are no historical preservation areas located within ½ mile of the Subject Property.

Recreational Areas: There is a soccer complex located directly across the street from the primary facility entrance, which is also approximately ¼ mile east of the proposed Process Building location. The complex is named the *Westbank Soccer Complex*, and is a leased property for its current use, and managed by the *River Parks Authority*, a non-profit organization supported by the City of Tulsa and Tulsa County. The applicant has written to the River Parks Authority, and has had follow-up meetings, phone conversations and emails to help the River Parks Authority Director and Board of Trustees to better understand the proposed operation and potential impacts on the soccer complex operations. The feedback has been mostly positive and a letter to the DEQ from the River Parks Authority approving of the proposed operation is expected soon. (**Attachment K**).

c. Threatened and Endangered Species

Requests for review were submitted to the Oklahoma Department of Wildlife Conservation (ODWC) and the Oklahoma Biological Survey (OBS) on October 16, 2018. Correspondence with and information received from the two agencies is included in **Attachment L.**

The OBS response came from the Oklahoma Natural Heritage Inventory (ONHI) which provided a summary of all registered sittings of federal and state threatened, endangered or candidate species, as well as non-regulatory rare species and ecological systems of importance currently in the ONHI database for the facility location. They identified 12 occurrences

of relevant species being observed within the vicinity of the project location, which included the Bald Eagle and the Least Tern.

The ODWC identified threatened and endangered species that may be affected by the proposed project, as well as critical habitat for those species. They recommended that the ECOS-IPaC website be visited regularly during the planning and implementation phases to get updates for listed species and information.

Mammals

Northern Long-Eared Bat – Critical habitat are caves and trees, neither of which are present at the Subject Property. Facility construction and operation is not anticipated to impact any bats.

Birds

Least Tern **-** Least Terns nest on barren to sparsely vegetated sandbars along rivers, sand and gravel pits, lake and reservoir shorelines, and occasionally gravel rooftops. They hover over and dive into standing or flowing water to catch small fish. The Subject Property does not have these physical characteristics and impacts to Least Tern populations are not anticipated.

Piping Plover - Piping Plovers (*charadrius melodus*) are small shorebirds approximately seven inches long with sand-colored plumage on their backs and crown and white underparts. Plovers in the Great Plains make their nest on open, sparsely vegetated sand or gravel beaches adjacent to alkali wetlands, and on beaches, sand bars, and dredged material islands of major river systems. Breeding and wintering plovers feed on exposed wet sand in wash zones; intertidal ocean beach; wrack lines; wash over passes. Mud-, sand-, and algal flats; and shorelines of streams, ephemeral ponds, lagoons, and salt marshes by probing for invertebrates at or just below the surface. They use beaches adjacent to foraging areas for roosting and preening. Small sand dunes, debris, and sparse vegetation within adjacent beaches provides shelter from wind and extreme temperatures. The Subject Property is not located in an area which would be hospitable to Piping Plover. There are no beaches, wetlands, or shorelines. As a result, impacts to the Piping Plover are not anticipated.

Red Knot - Red Knot is a global species. There are three subspecies in North America, and each appears to be in decline. All three winter in South America where populations were found to have dropped by over 50% between the mid-1980s and 2003 when the birds were listed on the federally threatened species list. The IUCN Red List lists Red Knot as a Near Threatened species. The occurrence of large concentrations of knots at traditional staging areas during migration makes them vulnerable to pollution and loss of key resources. The Subject Property does not provide suitable habitat for Red Knot nesting or foraging and will not have an impact on these birds.

Bald Eagle – The Bald Eagle is not endangered but rather is listed by ONHI and ODWC because it warranted protection under the Bald and Golden Eagle Protection Act (1940) as a migratory bird species, by virtue of also being listed on the USFW Service Migratory Bird Resource List as being a Bird of Conservation Concern (BCC). Bald Eagles are commonly observed along the Arkansas River either in flight or nesting/resting in elevated trees (and occasionally on Power Poles). The Subject Property may have some minor tree removal during construction but not any that would be suitable habitat for the Bald Eagle. Industrial activity is so dense and common around the proposed operational area, that it's presence will have no effect on the Bald Eagle habitat or migration activities.

Insects

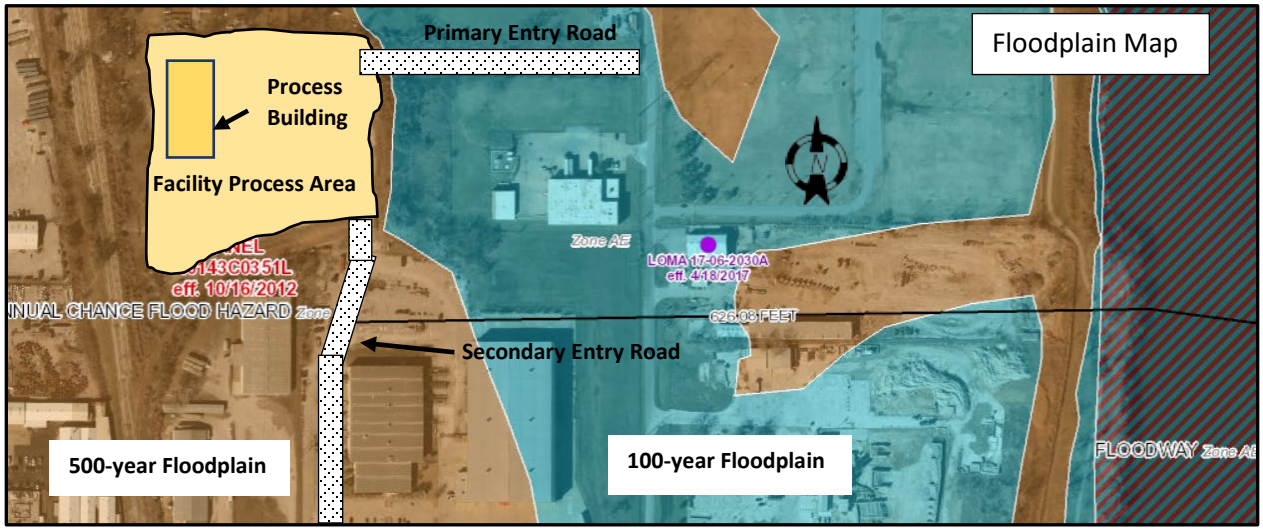
American Burying Beetle – The American Burying Beetle, known commonly as "ABB", is a large, boldly-marked beetle with an overall black color, and four red-orange markings on its back. It is the largest North American species of carrion beetle, reaching between one and two inches in length. The ABB is currently listed by the U.S. Fish and Wildlife Service as an endangered species in several eastern Oklahoma counties including Tulsa County. The highest densities of American burying beetles are found in open oak-hickory forests with native grass cover. Populations also have been found in closed-canopy forests and within tallgrass prairie habitats. The two critical factors for ABB habitat are non-compacted soils to allow access to subsurface areas and the presence of a healthy and diverse small mammal or bird community as a food source.

The ABB is nocturnal and spends daylight hours buried in loose soil and feeds at night almost exclusively on carcasses of dead animals. The ODWC webpage provides the results of ABB surveys in Oklahoma for the past six years, which show numerous surveys having been conducted in Tulsa County without a single positive finding. There is a small area of potentially suitable habitat along the strip of land where the entrance road is planned to be constructed. Historical site photos show that area as having been previously disturbed with presence of a gravel road. In addition, the facility location is surrounded by industrial sites that have been cleared for several years. Based on the past use and surrounding habitat, the entry road construction does not appear to be suitable habitat for cover and for food supply for the presence of ABB. Combined with the lack of sightings of ABB in Tulsa County locations suitable for the presence of ABB, and the small and unsuitable conditions for ABB habitat, it is highly unlikely ABB would be present at the location.

ODWC Conclusion: The letter response shown in Appendix L from the ODWC concluded that the project area does not contain critical habitat for any of the five (5) listed endangered or threatened species.

d. 100 Year Floodplain

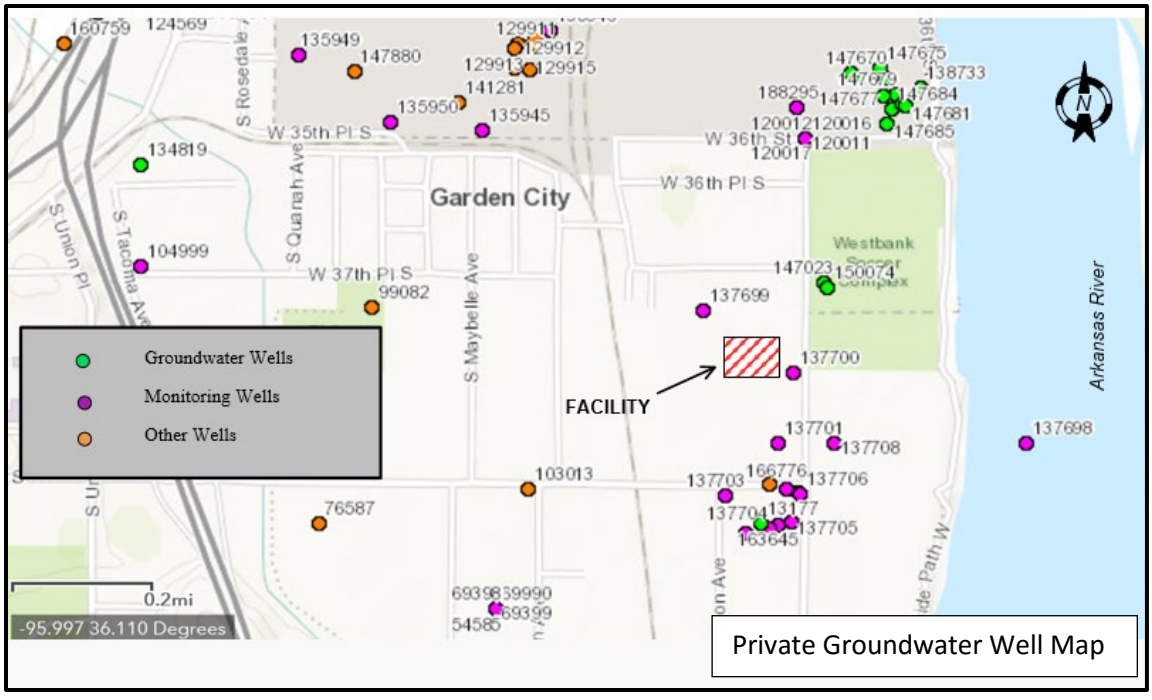
The map below (also shown in Appendix J) shows the facility is not located within a 100-year floodplain, but rather with an area designated as "Zone X". Zone X has a probability of a 0.2% chance of flooding on an annual basis, also known as the 500-year flood plain. The primary entrance and driveway into the facility is located within the 100-year floodplain, but no materials will be stored or processed in that area. If flooding of the primary entrance road were to ever occur, the secondary entrance would be used as an alternative route until the primary entrance became available after the flood waters had receded.



e. Public Water Supply

A search of Oklahoma Water Resources Board (OWRB) records indicate there are no public water supply wells within one mile of the facility.

The search showed there are several private wells in the area as shown on the map below. None of the water supply wells (shown in green) are being used as a drinking water source, but rather for purposes of commercial, industrial or agricultural water supplies. Most of the borings in the immediate area are or were used for groundwater characterization or for obtaining geotechnical information.

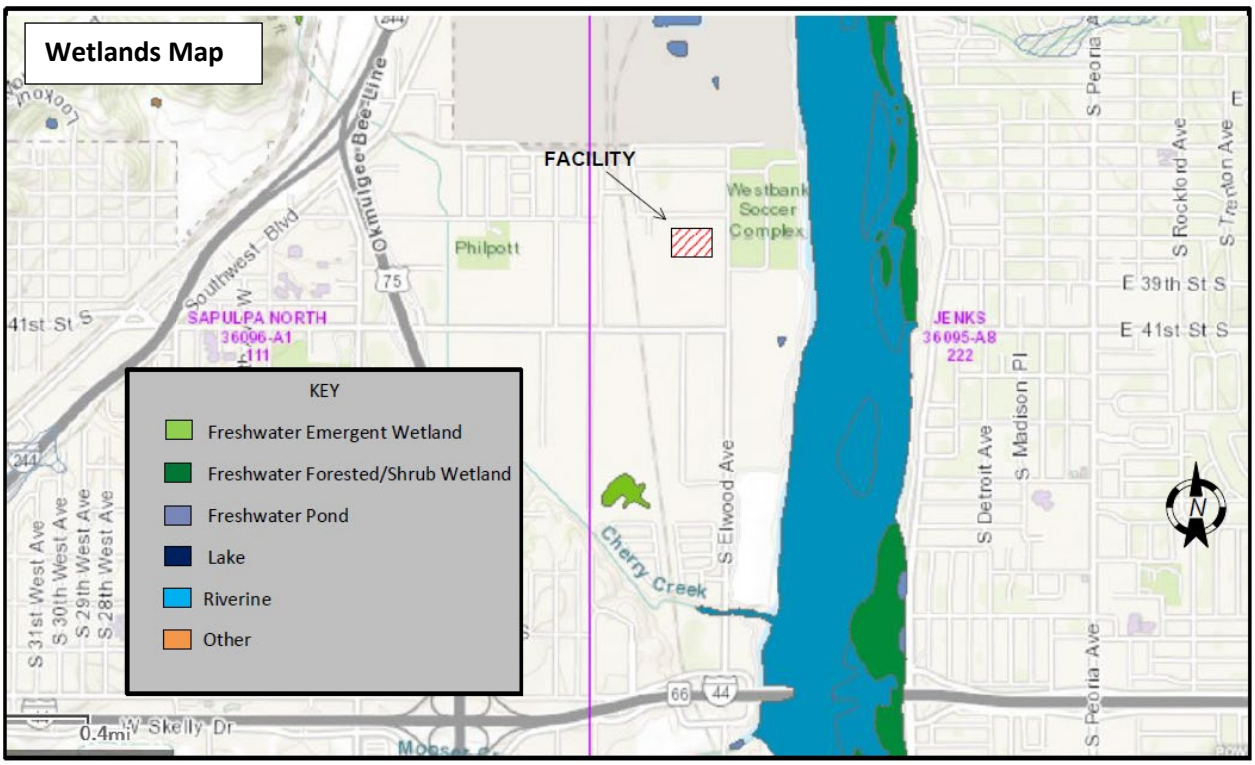


f. Wellhead Protection

According to OWRB records, there are no wellhead protection areas within Tulsa County.

g. Wetlands

See wetlands map below showing no wetlands on or near the subject site.



h. Subsurface Investigation

MPF is not planning to conduct a subsurface investigation since no disposal will occur at the facility, combined with storage of all waste materials being on impermeable surface surfaces and not exposed to stormwater.

3. PROJECT DETAILS

a. Temporary Easement

An unsigned template for a Temporary easement for access to the facility by the Oklahoma Department of Environmental Quality as required in OAC 252:515-3-34 is included in **Attachment G**. This easement will be signed and filed with the DEQ within 30 days after permit issuance.

b. Planned Life of the Facility

There are no limits on the life of this facility since the lease in open-ended with no expiration dates. Since waste disposal will not occur at the site, there will not be an accumulation of waste material resulting in a predictable end-of-life and startup of closure.

c. Road Construction

The primary entrance road and facility areas away from the Process Building will be graveled with added asphalt millings to reduce dust from mobile traffic. The secondary entrance will be paved with concrete. Process area roadways and parking areas will be constructed of concrete to assure roads are passable in inclement weather, and to reduce dust from vehicular traffic. See the Site Map in **Attachment H**.

d. Heavy Equipment Use

Construction: The site construction will be accomplished using typical construction equipment – e.g., backhoes, dump trucks, graders, track hoes, etc.

Operation: Heavy equipment to be used during operation include backhoes, skid steers, track hoes, dump trucks, fork lifts, tractor trailers, and shredders.

e. Site Construction

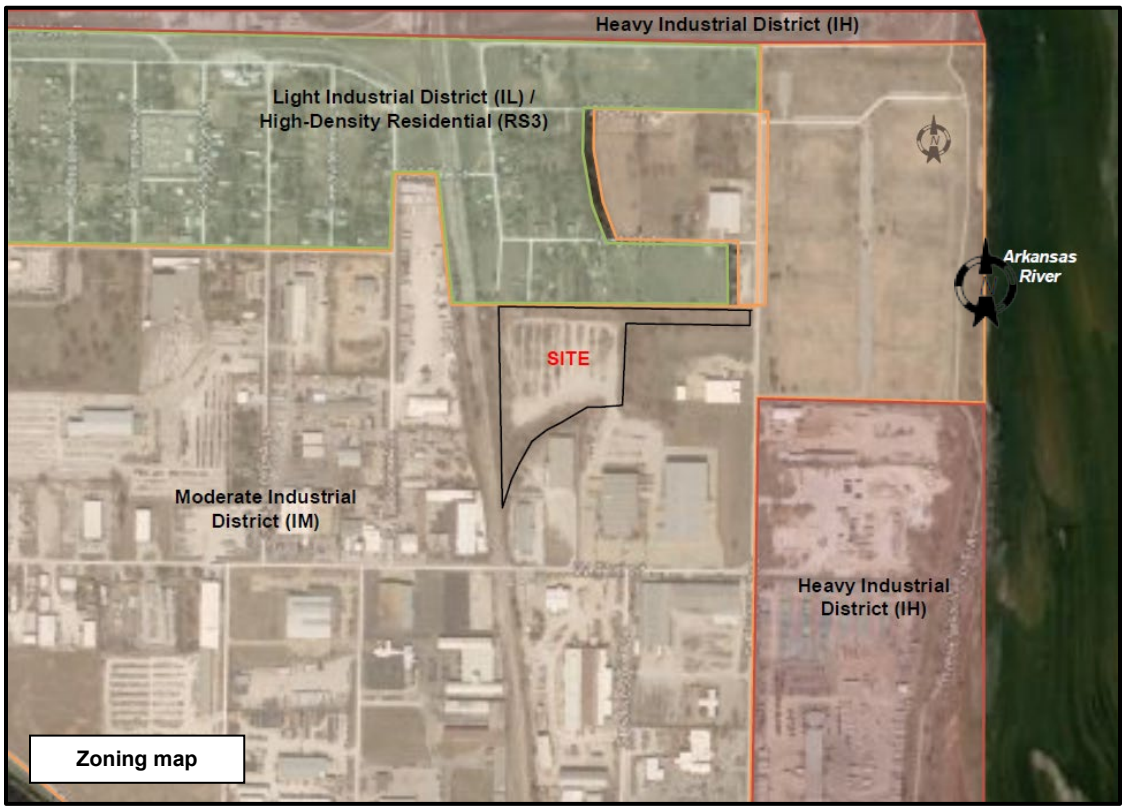
The construction of the site includes the following areas and/or activities:

- Concrete/Asphalt drive, parking, and Processing areas outdoors
- Concrete interior Processing areas of the building
- Basin and vault construction
- Finish interior of the building for offices, laboratory, and Processing areas
- Berms around basins and beneath outdoor and indoor shredder
- Loading docks
- Scale
- Gates and Fencing
- Lighting and Emergency notification system
- Stormwater detention ponds
- Solidification basins wastewater treatment vault
- Chemical storage areas

Design drawings for all operation areas will be developed after issuance of the solid waste permit. All final design drawings will be submitted to the City of Tulsa for site development processes. In addition, details related to the wastewater treatment wastewater sources and processing information will be provided in the application for pre-treatment discharges to the City of Tulsa POTW.

f. Zoning

The proposed facility would be located in area zoned IM (Industrial–Moderate) as shown on the map below. IM zoning is used for “a wide range of industrial uses that may produce some moderate adverse land use or environmental impacts in terms of their operation and appearance.” The proposed activities at the facility will meet the criteria for an IM area.



g. Public Access

The facility will not grant access to the general public due to potential health and safety concerns from site activities, and to discourage unauthorized waste dumping of waste.

The facility will have a sign posted at each entrance gate containing the following:

- The name of the facility
- The type of operation
- The facility's solid waste permit number
- The phone number to for the person to be contacted in the event of an emergency
- Notification that unauthorized persons are no allowed to enter.

The entire operation will have a security fence and will be monitored at all times with a security camera system. All gates will be locked when the facility is closed.

h. Salvage Operations

No salvage operations are to be performed at the facility.

i. Closure Plan

MET will close the facility in a manner which eliminates the need for further maintenance and controls, i.e., the facility will undergo clean closure with no post-closure monitoring or recordkeeping.

Facility closure will be initiated with the following elements:

- All clients will be notified that wastes streams managed at the facility will need to be re-routed to an alternate disposal site beginning 30 days after receipt of the notification. MET will assist clients as needed to locate alternative disposal options.
- All vendors, local agencies and the DEQ Land Protection Division will be notified of the facility closure at the same time as clients are notified to help ensure that a coordinated and properly executed closure process will occur.
- Facility closure will be initiated within 90 days after accepting the last shipment of waste.
- Facility closure will be completed within 180 days after closure is initiated, unless an extension is requested and approved by the DEQ Land Protection Division.
- Within 30 days of completion of all closure activities, a notarized statement of completion of all closure activities will be signed by an authorized representative of MET, which also includes a certification that is signed and sealed by an independent Professional Engineer that the site was closed in accordance with the approved closure plan, the facility permit and all applicable rules. The certification will include the facility contact name, address, and telephone number during the post-closure period.

Facility closure will include the following activities:

- All Processed solids will be transported to appropriate disposal facilities. Wastewater will be treated and discharged in accordance with the Industrial Wastewater Pretreatment Permit. Oil on site will be shipped to a fuel blender for further treatment.

- All treatment tanks and solidification pits, associated piping and pumps will be cleaned with a pressure washer to remove all residue prior to dismantling.
- Unloading areas, and floors will be power washed with all rinsate collected for disposal.
- All waste materials on-site will be properly packaged and transported to an approved disposal site.
- All chemical holding tanks will be sold for use or scrapped.
- All laboratory equipment and chemicals will be properly packaged and transported to an approved disposal site.
- Upon completion of closure, a Certification of Final Closure report will be submitted to the DEQ. Closure will be complete only after receipt of an approval is received from the DEQ.
- All facility waste and processing records, and agency documents for a minimum period of the last five years of operation will be boxed and stored in a weather-proofed and climate-controlled location following completion of closure for a period of at least five years.

j. Closure Cost Estimates

Site closure costs will be based on the maximum quantity of waste present in each waste holding tank/system at any time during the life of the facility. Facility records will be used to identify those waste amounts. Costs for disposal of each type of waste will then be based on the disposal costs plus the handling and transportation costs needed to complete disposal.

Since no wastes are present within the facility, initial site closure costs are based on the following projected activities will result in the following cost areas and projected costs:

1. Identification of all waste materials to be removed - $2,500
2. Obtain costs for transportation and disposal of removed waste materials - $1,800
3. Removal, transportation and disposal costs for removed waste materials - $20,000
4. Identification of all process areas that require decontamination - $1,200
5. Decontamination of process areas – $2,500
6. Identification of facility modifications needed to remove process and business equipment - $3,200

7. Removal, transportation and final disposition of process and business equipment - $3,000
8. Project management of all closure activities - $4,000
9. Post-closure cost: $0.00

Total estimated closure costs: $36,000

Annual closure cost updates: Each year on the anniversary of facility permit issuance date, the site closure plan and associated costs will be adjusted as needed. Those costs will be based as described above based on maximum quantities contained in the processing system. A copy of all annual closure cost estimates will be maintained for the life of the facility.

k. Financial Assurance

Financial assurance for meeting estimated closure costs will be in the form of an irrevocable standby letter of credit. The letter of credit will be submitted to DEQ for approval within 60 days after the solid waste permit for operating the proposed facility has been issued.

l. Post-Closure Plan

Closure activities will remove all waste from the facility and site. Upon receipt of final closure approval from the DEQ, there will be no waste in the form of residuals or stored materials remaining at the site. Therefore, the site will be clean and clear for another user to occupy the site. Therefore, a post closure followup will not be required upon final approval of the closure process.

m. Aesthetic Enhancement

The facility plans to construct an operational building that will be attractive and allow for visual harmony with the surrounding industrial area. The facility will be installing six-foot chain link fencing with three strands of security wire across the top along all property boundaries. We anticipate that the process of obtaining City of Tulsa property development approval will require installation of an additional sound and visual barrier (e.g., 8-foot wood fence) along the northern property line. All roads will be concrete-paved or graveled with added asphalt millings to reduce dust from transport and operations that occur outside the process building.

4. FACILITY OPERATIONS

The MPF will receive and process non-hazardous waste and materials for recycling or disposal. No hazardous waste will be processed at this facility. A material processing flow diagram is included in **Attachment M**.

a. Stormwater Management

Construction: Prior to beginning facility construction, coverage under the State's General Permit for Construction Stormwater will be obtained from DEQ (OKR10).

Operating: During facility operations, all process operations will be performed within the building. Stored materials will be located upon concrete with containment of stormwater from those areas. The facility will obtain coverage under and operate in compliance with DEQ Water Quality Division's Multi-Sector General Permit (OKR05) for Stormwater Discharges from Industrial Facilities. The Notice of Intent for coverage under the MSGP will be submitted to the DEQ within a few days after a Stormwater Pollution Prevention Plan (SWPPP) is developed following facility operational startup.

Stormwater will be prevented from running onto the processing building through the use of grading and curbing as needed. Stormwater from upgradient locations will be channeled around the processing area through grading and curbing.

Stormwater generated on-site will be routed to either of two drainage ditches located along the southern and northern perimeters of the site. A sluice gate will be installed at the furthest downgradient point (property line) which will serve as designated stormwater outfalls for purposes of stormwater monitoring and allow for retention of any spills that might occur during processing when the gates are manually closed. Stormwater from the facility will eventually enter into the City of Tulsa MS4 system and be released into the Arkansas River.

b. Process Building

Material processing will be conducted within the facility Process Building on impermeable surfaces that are free of cracks and capable of containing all wastewater liquids managed during processing. These areas are chemically resistant to the waste types that will be managed at the facility.

c. Centralized Wastewater Pretreatment

Wastewater that falls within either the Oils Subcategory (40 CFR 437 Subpart B) or the Organics Subcategory (40 CFR 437 Subpart C) under the U.S. EPA Centralized Wastewater Treatment Standard will be accepted for processing. Those off-loaded liquid streams will be treated through the Centralized Wastewater Treatment System. This entire treatment system is confined inside the building and located within a containment area.

Wastewater to be received for processing must first be approved through the Waste Certification Process, the waste profiling system. Specifically, the waste generator must verify the wastewater has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste matches the information provided by the Generator and a sample of the wastewater analyzed for pH and flashpoint. If the wastewater exhibits a hazardous waste characteristic it will be rejected. If the material does not match the Waste Profile, the material will not be accepted unless resolved with the Waste Generator that the material is not a hazardous waste and that the proper Waste Profile has been completed and submitted to MPF for review and approval.

Wastewater will be delivered to the site by in containers and sampled and analyzed in the on-site laboratory to verify acceptability and determine treatability. If the wastewater is found to be unacceptable or untreatable, the load will be rejected, unless resolved with the Waste Generator.

Acceptable wastewater will be off loaded into a screening chamber box where debris and thick sludge will be removed by settling and filtration. Those removed solids/sludge will be routed to the settling/solidification

basins. The wastewater is then transferred to a treatment tanks, where it will be treated for oil removal followed by a precipitation and settling chamber using pH adjustment (as needed) and addition of polymers to facilitate chemical coagulation and precipitation of entrained solids. Following treatment, the wastewater will be analyzed by the laboratory to assure it meets the discharge criteria for release to the Tulsa Publicly Operated Treatment Works (POTW). If the wastewater does not meet the discharge criteria it will be sent back through the treatment process until the discharge criteria has been met or will be sent to Solidification.

Settled solids from the treatment Process will be transferred and accumulated in a sludge thickener tank to await further treatment with a filter-press/rotovac for further reducing the water content. Sludge cake material produced is directed to the solidification basins, with final disposal at a landfill or transfer to an EfW facility. Water removed from the pressed sludge is returned to the wastewater treatment system. Oil removed through wastewater pretreatment is directed to the oil holding tanks to await off-site transfer.

Chemicals utilized in the centralized wastewater treatment system include sulfuric acid, sodium hydroxide, alum, ferric chloride, lime and polymers. All chemicals will be stored in appropriate tanks, inside the building and within containment. The tanks will be properly labeled, and a chemical inventory will be maintained.

d. Oil Recovery

Oil wastewaters will be treated for oil recovery in the facility's wastewater treatment system. The oil/water mixture is separated in the wastewater treatment system and further processed to meet the specification of a used oil recycling facility.

Removed/separated oil will be directed to oil storage tanks where additional chemical and physical processing will further remove any additional water present. Removed water is directed back to the wastewater treatment system. Recovered oil will be trucked to an off-site for beneficial reuse, typically a fuel blending operation, but sometimes for energy recovery.

e. Shredding Operation

The shredding operation de-packages larger containers such as 55-gallon drums and 330-gallon totes in a commercial shredder operation located inside the Process Building. Shredded materials will be directed primarily to the Waste-to-Energy product stream, otherwise sent for landfill disposal when not able to meet the EfW acceptance criteria.

Materials that will be delivered for shredder processing after first being approved through the Waste Certification Process. Specifically, the waste generator must verify the product to be removed has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste indicates it matches the information provided by the generator. If a product does not match the information provided on the Waste Certification it will not be accepted for shredding, and the load will be rejected.

f. Solidification

Solidification is the mixing of non-hazardous wastes that contain free liquids with an absorbent material, e.g., sawdust, to eliminate the liquids. The Process is performed in any of three open top concrete “pits” with the use of an excavator for mixing. The concrete pits (3) will be constructed with two additional liner systems to prevent any losses outside the containment system, including a synthetic liner and a leak-proof steel container (See **Attachment N**). Solidified wastes will be loaded into a waste hauler truck for delivery to either a landfill or an EfW facility. The solidification process will occur within the Process Building.

Wastewater and sludges delivered to MPF for solidification must first be approved through the Waste Certification Process. Specifically, the waste generator must verify the waste has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste matches the information provided by the generator. A sample of each product delivered will be evaluated either visually for solids, or for pH and flashpoint for liquids. If it exhibits a hazardous waste characteristic it will be rejected. If it doesn’t meet the Waste Certification, further inquiry and/or information will be obtained from the waste generator and waste determined if it is acceptable.

Upon verification of acceptance, the shipments are offloaded into either the shredder staging area or into the solidification pits. Absorbent material is then added to the solidification pits and mixed with an excavator. When free liquid is no longer present, the contents of the solidification pits are loaded into a dump (or similar) trailer and transported for either waste-to-energy or landfill facilities.

g. Energy from Waste (EfW) Blending

The EfW Process is the bulking or blending of waste to meet criteria to be used as a fuel at an offsite facility. The offsite facility uses the mixed waste as fuel to generate power.

Materials that will be delivered for EfW blending must first be approved through the Waste Certification Process. Specifically, the waste generator must verify that the product has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste indicates it matches the information provided by the generator. A sample of each product delivered will be evaluated either visually for solids, or for pH and flashpoint for liquids. If a product exhibits a hazardous waste characteristic or does not match the information provided on the Waste Certification it will not be accepted for EfW blending, and the load will be rejected.

Non-liquid materials are delivered in bulk and non-bulk containers. Acceptable materials are placed in the EfW area where it is removed from the original container and combined with other EfW materials in a large solidification pit. The mixed non-hazardous EfW materials are then loaded into dump (or similar) transport trailer and transported off-site to an energy recovery or waste-to-energy facility.

h. On-site Laboratory

A fully equipped chemistry laboratory will be located on site for internal use only, i.e., laboratory services will not be provided to clients or others.

i. Industrial Services

Industrial Service equipment will be housed at this location; however, these Services will be performed at client sites. This includes, high-

vacuum trucks, sludge and roll-off boxes, industrial pressure-washers, confined space equipment and other specialty equipment.

j. Transportation Services

Transportation Services will be housed at this location. It will include straight-trucks, semi tractors, van trailers, tanker trailers, roll-off and sludge box trailers.

k. Waste Staging

All tanker truck liquid waste unloading, staging and processing will occur within the building or under a roof. Facility overhead doors will be closed when not in use. All liquid storage will be either inside or outside the process building in steel storage tanks. All tanks and process units will be constructed with a secondary containment system.

Incoming liquids containing oily wastewater will undergo initial screening during off-loading through an “auger’ box. The auger box allows for removal of solids that potentially damage downstream handling equipment, such as pumps.

The auger box will gravity-drain liquids into an adjacent below-grade separator which is located within a secondary concrete containment system. Separated oils and wastewater are pumped from the separator into an appropriate holding tanks to await further processing in the centralized wastewater treatment system.

The centralized wastewater treatment system anticipates using the following types of storage tanks:

- Oily Water – 4 - 6,000-gal, cone-bottom polyethylene tanks
- Chemical storage – 2 - 6,000-gal, cone-bottom polyethylene tanks
- Water Treatment – 8 - 6,000-gal, cone-bottom polyethylene tanks
- Effluent Holding – 3 - 10,000-gal, flat-bottom steel tanks
- Sludge Holding – 2 - 6,000-gal, cone-bottom polyethylene tanks

The solidification system will include the following units:

- Solidification pits – three (3) at 25’ x 20’ x 8’ = 29,920 gallons each

l. Types of Solid Waste to be Processed

Only non-hazardous waste and materials will be accepted at the facility. All non-hazardous waste streams and materials will be approved through the Waste Certification Process prior to acceptance at the facility. The facility will not process hazardous, radioactive, regulated PCBs, medical waste, or friable asbestos.

Industrial waste will not include any food wastes generated at the facility as those items will be picked up and delivered directly to an MSWLF along with other materials that are considered trash. The only organics (besides oil) that will be processed are small quantities of pet food waste that will be processed for waste to energy purposes within a 24-hour turnaround.

m. Expected Waste Volumes and Measurement

This site anticipates receiving up to an estimated 300 tons per day, or approximately 156 cubic yards per day of non-hazardous solid material. Since the density will vary for this material, the cubic yard estimate was determined using the following formula:

(150 tons / 2.12 yds^3/ton) + (150 tons / 1.75 yds^3/ton) = 156 yds^3

Additionally, the site anticipates receiving up to an estimated 100,000 gallons of non-hazardous wastewater per day.

After the facility is completed with all processing units, and those units are fully utilized, the potential volume of materials being stored at facility would be as follows:

- Centralized wastewater treatment system tanks: 126,000 gallons
- Solidification storage pits: 89,760 gal

Incoming materials will be measured using an on-site scale. The scale will be tested and certified annually in accordance with requirements of the Oklahoma Department of Agriculture, Food, and Forestry.

n. Waste Certification Process

To ensure all materials accepted for treatment or other Processing at the MPF facility are properly managed in accordance with all local, state and federal regulations, the waste generator must complete a *Waste Profile Form* that includes a signed certification that the waste is not a hazardous

waste and does not contain any hazardous wastes as a component of the waste stream. If it is determined the waste stream is acceptable, it is assigned a unique waste stream identification number. The Waste Exclusion Plan (**Attachment P**) describes the Waste Profile Form **(Attachment Q**) as being part of the evaluation waste evaluation process.

The *Waste Profile Form* provides the following information:

- Generator information
- Process description of waste source
- Physical data about the waste
- Chemical composition of the waste
- Waste Pollutant analysis
- Used Oil Warranty (if the waste is defined as a "Used Oil" or contains "Used Oil")
- Warranty Statement
- Generator Certification that no hazardous waste is contained in the waste stream

The Material Managment Plan is included in **Appendix R**. In the event the WEP conditions change, an amended WEP will be submitted to the ODEQ for approval within 30 days of the change.

o. Waste Screening Process

Materials delivered to the facility for treatment or other Processing must first be approved through the Waste Profile Approval Process (See Waste Exclusion Plan). Specifically, upon arrival at the facility a waste is screened by Senior personnel to assure the waste has been pre-approved and that the appearance and other characteristics meet the profile of the waste. A sample of liquid wastes will be analyzed for pH and flashpoint. Solid and Semi-solid wastes will also be subjected to a screening process, and if a product exhibits a hazardous waste characteristic it will be rejected. If it doesn't meet the Waste Certification, further inquiry and/or information will be obtained from the waste generator and waste determined if it is acceptable.

p. Bulky Waste

Bulky waste or other materials unsuitable for processing by the facility Processes will not be accepted and rejected during the waste screening process prior to off-loading at the facility.

q. Waste Disposal

The list below details the current options for final disposal/recycling/EfW for the non-hazardous end-products produced. Those options include both specific facilities as well as general types of disposal options that will be utilized for final disposal.

Facility Process	Final Disposal/Recycling/EfW Facility
Centralized Wastewater Treatment	City of Tulsa Southside Wastewater Treatment Facility 5300 S Elwood Ave, Tulsa, OK 74107 Phone: 918.591.4440
Used Oil Processing	Final disposition of recyclable materials will be based on market value
Solidification	Final disposition will go either a waste-to-energy plant or to a permitted landfill.
Shredding Operation	Final disposition will go either a waste-to-energy plant or to a permitted landfill.
Energy from Waste Blending/Bulking (EfW)	Permitted Waste-to-Energy facility (e.g., Covanta)

r. Contingency Plan

In the event of an emergency or unplanned shutdown that prohibits the Processing of waste, all incoming waste will be directed to an alternate facility or one of the solidification facilities listed above. All customers will be notified by telephone and assistance will be provided to reroute waste to an alternate facility. During a shutdown period all equipment will be shut down and will remain de-energized. Process areas will be inspected and maintained until operations can be re-started.

s. Control Procedures

Noise: All treatment and processing operations are performed within the building. Any noise caused by the operating equipment will be contained within the building or located such that noise will be mitigated

Vectors: If necessary, vector control will be provided by the facility employees. The control Process will involve the application of sprays and placement of traps throughout the facility.

Litter: All treatment and Processing operations are performed within the building or under the covered area on the east side. The solidification basins are maintained with appropriate moisture to prevent litter from blowing. Litter is not expected to be an issue with the operation, but the site will be inspected and cleaned of any litter on a minimum of a weekly basis.

Air Emissions: There are no emission sources associated with the operation so an air permit will not be required. Minor levels of fugitive dust will be generated during some processing operations but will be vented to atmosphere. Clean up of accumulated dust will be included in the facility housekeeping plan. In addition, most all areas used for mobile traffic will be gravel with paved.

t. Spills

All waste unloading, storage and Processing will be completed within the building or within covered containment areas outside the building. Any spilled material within or outside the Process Building will be immediately cleaned up and all spilled material will be properly managed.

All personnel are properly trained to minimize the risk of a spill and are trained on the proper clean up procedures when an unexpected release occurs. Spill clean-up kits contained within yellow drums labeled "Spill Clean-Up Kit" will be located throughout the facility. These kits will contain a variety of spill clean-up materials, such as absorbent pads and booms.

A Spill Prevention, Control and Countermeasure Plan (SPCC) will be prepared that covers all oil storage tanks to meet the requirements of US

EPA 40 CFR 112.3. The purpose of the plan is to identify measures to be taken in the event of a spill to ensure oil releases do not reach navigable waters. It will identify operating procedures to prevent oil spills, control measures to be used to prevent a release from reaching a navigable water and countermeasures that will be utilized to mitigate the effects of an oil spill that impacts navigable waters.

u. Fire Protection

The building will be equipped with a fire sprinkler system suitable for the building's occupancy and use. CO_2 fire extinguishers are located throughout the facility and visibly marked for easy access by all employees. A large rollable CO_2 fire suppression tank is located in the solidification area for use if there was an unlikely fire in the solidification containers.

v. Daily Cleanup Procedures

All areas of the facility will be cleaned daily. Clean up activities include sweeping, picking up any garbage and misplaced tools and/or supplies, and collecting and storing any accumulated water.

w. Sanitary Facilities

Restroom facilities will be provided inside the facility which are plumbed into the Tulsa POTW sanitary sewer system.

x. Operating Hours

When fully operational, the facility will employ between 10 and 15 people and operate 6 days per week 24 hours/day. Incoming materials for processing will be primarily received during the day shift on a Monday-Friday schedule. The evening and night shifts will primarily conduct processing and prepare outbound loads for the following morning. Actual hours of operation have not been determined but will established based on need and business opportunities.

y. Emergency Response Plan

An Emergency Response Plan will be maintained on site and will be easily accessible to all employees and visitors to the facility. The plan will specify

the procedures to follow in sudden unexpected situations, such as a fire, spills or weather-related emergencies. The plan will assign roles and responsibilities for implementation of the plan during an emergency. Annual training will provide and/or remind all employees of the plan's requirements.

z. Employee Training

Employee training will include, but is not limited to, the following:

1. Facility Emergency Response Procedures
2. SPCC Plan requirements
3. Waste Certification Process
4. Hazard Communication
5. Confined Space Entry
6. Respiratory Protection
7. Exposure Control
8. Lock Out/Tag Out
9. Personal Protective Equipment
10. Security Site Safety
11. Fire Prevention and Protection
12. WEP and NHIW Training

aa. Safety Procedures

Personal Protective Equipment	All personal working within the facility process areas will wear safety glasses, steel toed boots, nitrile or regular work gloves and laundered uniforms. Hearing protection, respiratory protection and confined space entry equipment are used when necessary.
Decontamination	Emergency showers and eye wash stations will be present at strategic locations. Equipment decontamination will be performed through the facility housekeeping and maintenance program.
Communication	All employees are equipped with communication gear including earpiece and microphone to communicate with all other personnel. Cellphone use will only be allowed within the breakroom areas. An after-hours call service will also be utilized during non-operating hours.
First Aid Equipment	First aid kits will be located in the breakroom area and in the onsite laboratory.
Fire-fighting Equipment	Fire extinguishers will be located at strategic locations throughput the facility.
Access Control - fence	The property will be fully enclosed with a 6-foot chain link fence with three strands of barbed wire on top. The only access into the facility is through two driveway gates, which are open only as needed to allow passage of traffic.
Access Control - video	A video surveillance system will be installed with cameras located inside and outside of the building. The system will have 24-hour recording capabilities. The entrance gate and all doors to the facility will be locked during non-operating hours.
Employee Shelter	In the event of inclement weather employees will shelter in the restrooms.

bb. Facility Records

All facility records will be maintained electronically and include tracking of all waste loads from the time it is received to its final destination. Records will include all processing performed on the waste materials, and the date and final disposition of the waste materials. All records shall be maintained at the site and/or the owner's office until final closure has been approved by the DEQ.

The follow are examples of the types of information entered and preserved within the electronic recordkeeping system:

- All loads received including date, generator, manifest number, waste profile number, gallons, and treatment documentation
- Waste screening results
- All Generator's Waste Certification Statements along with analytical test results
- Basis or characterization of all facility "products" to indicate whether classified as hazardous or non-hazardous, and the final disposition of those materials.
- Inventory of treatment chemicals

ATTACHMENT C

Property Ownership – County Record

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Assessor
KEN YAZEL

Property Search

Disclaimer

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Quick Facts

Account #	R99223922322080
Parcel #	99223-92-23-22080
Situs address	551 W 41 ST S TULSA
Owner name	MILLER INVESTMENTS & PROPERTIES LLC
Fair cash (market) value	$444,700
Last year's taxes	$3,697
Legal description	Subdivision: UNPLATTED Legal: PRT SE SE BEG 24.75W NEC SE SE TH W1291.30 S72.11 SW12.13 S473.42 SE272.45 NELY ON CRV407.53 NE213.30 ELY ON CRV140.49 N358.39 E635 N100 POB SEC 23 19 12 10.21ACS Section: 23 Township: 19 Range: 12


99223-92-23-22080-001 (3/2012)

General Information

Situs address	551 W 41 ST S TULSA
Owner name	MILLER INVESTMENTS & PROPERTIES LLC
Owner mailing address	PO BOX 665 STROUD, OK 740790665
Land area†	10.21 acres / 444,748 sq ft
Tax rate	T-1A [TULSA]
Legal description	Subdivision: UNPLATTED Legal: PRT SE SE BEG 24.75W NEC SE SE TH W1291.30 S72.11 SW12.13 S473.42 SE272.45 NELY ON CRV407.53 NE213.30 ELY ON CRV140.49 N358.39 E635 N100 POB SEC 23 19 12 10.21ACS Section: 23 Township: 19 Range: 12
Zoning	MODERATE INDUSTRIAL DISTRICT [IM]

Values

	2017	2018
Land value	$444,700	$444,700
Improvements value	$0	$0
Fair cash (market) value	$444,700	$444,700

Exemptions claimed

	2017	2018
Homestead	—	—
Additional homestead	—	—
Senior Valuation Limitation	—	—
Veteran	—	—

Tax Information

	2017	2018
Fair cash (market) value	$444,700	$444,700
Total taxable value (capped)	$245,196	$257,456
Assessment ratio	11%	11%
Gross assessed value	$26,972	$28,320
Exemptions	$0	$0
Net assessed value	$26,972	$28,320
Tax rate	T-1A [TULSA]	
Tax rate mills	137.08	137.34
Estimated taxes	$3,697	$3,889
Most recent NOV	March 6, 2018	

Tax detail (2018 millages)

	%	Mills	Dollars
City-County Health	1.9	2.58	$73.07
City-County Library	3.9	5.32	$150.66
Tulsa Technology Center	9.7	13.33	$377.51
Emergency Medical Service	0.0	0.00	$0.00
Tulsa Community College	5.2	7.21	$204.19
School Locally Voted	22.4	30.72	$869.99
City Sinking	16.1	22.14	$627.00
School County Wide Bldg	3.7	5.15	$145.85
School County Wide ADA	2.9	4.00	$113.28
School County Wide General	26.2	36.05	$1,020.94
County Government	7.9	10.84	$306.99

(Continued on next page)

Improvements

Bldg ID#	Property type	Condition	Quality	Year built	GBA†	Stories	Foundation	Exterior	Roof	HVAC

Sales/Documents

Date	Grantor	Grantee	Price	Doc type	Book-Page/Doc#
Aug 8, 2018	ROSA REAL ESTATE LLC	MILLER INVESTMENTS & PROPERTIES LLC	$2,350,000*	Special Warranty Deed	2018072696
Mar 29, 2018	FINTUBE, LLC	ROSA & UNIS LLC	$4,800,000*	Special Warranty Deed	2018027178
Mar 27, 2018	ROSA & UNIS LLC	ROSA REAL ESTATE LLC	$—*	Special Warranty Deed	2018027179
Sep 1, 2010	FINTUBE TECHNOLOGIES, INC	FINTUBE, LLC	$4,655,000*	Special Warranty Deed	2010077995
Jan 1, 2000			$2,250,000*	General Warranty Deed	06313-00028
Apr 1, 1997	RED MAN PIPE & SUPPLY CO CRAIG	FINTUBE PROPERTIES LLC	$600,000	Special Warranty Deed	05900-00554

* Multiple parcel sale

Images

Photo/sketch
(Click to enlarge)

† **Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.**

Click to view this area on the **Google Maps web page** in a new window

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Ken Yazel — Tulsa County Assessor

Tulsa County Administration Building, Room 215 | 500 S. Denver | Tulsa, OK 74103

Phone: (918) 596-5100 | Fax: (918) 596-4799 | Email: assessor@tulsacounty.org

Office hours: 8:00–5:00 Monday–Friday (excluding holidays)

ATTACHMENT D

Documentation of Tenancy – Lease

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

LEASE AGREEMENT

This lease is effective and made on the 1st day of Dec 2018 by and between Miller Investments & Properties and Investments, LLC an Oklahoma limited liability company (the "Lessor") and Miller Environmental Transfer, LLC an Oklahoma Corporation, with the address of 4231 S Elwood Ave, Tulsa OK 74107

Witnesseth, that in consideration of the mutual promises and covenants made herein, the parties do hereby agree as follows:

1. AGREEMENT TO LEASE: Provided that the Lessee shall comply with the terms of this agreement, Lessor does hereby lease and release unto the Lessee the Leased Premises (as described in Section 2 below) for and during the term mentioned herein. Lessor certifies and warrants that it is the true and lawful owner of fee interest in the Leased Premises (as described in Section 2 below) and therefore entitled to enter into this lease.
2. DESCRIPTION OF PREMISES: The premises bear the address of 3800 S Elwood Ave, Tulsa, OK. 74107 (the "Leased Premises"). The Leased premises shall be used solely for Lessee's application for a Tier 3 Solid Waste Disposal site per OKDEQ requirements. Lessee and Lessor shall have use and access of the Leased Premises.
3. TERM: The "Term" for this lease shall commerce on Dec 1st, 2018 and ends on Dec 31st, 2028 or at such earlier time as herein provided.
4. EARLY TERMINATION: The lease may be terminated at any time by either party (i) upon ninety (90) days prior written notice to the non-terminating party, or (ii) upon a default by the other party as provided herein.
5. RENT: Lessee shall pay a monthly lease rent of Seven Thousand five hundred and no/100 Dollars ($7,5000.00) ("Rent") to Lessor. Rent shall be due on the first (1st) day of each calendar month. If any monthly payment is not received by Lessor within five (5) business days after Lessee's receipt of prior written notice of non-payment from Lessor, a ten (10%) late charge shall be added to the monthly Rent due to Lessor. If Rent remains unpaid for a period of fifteen (15) days, the Lessee shall be considered in default and the Lessor may elect its remedies hereunder. Rent for any partial month shall be prorated. The parties agree and acknowledge that Lessee commenced its use of the Leased Premises on Dec 1st, 2018.
6. RIGHT TO RENEW: At the end of the Term, Lessee may exercise its right to extend the lease for an additional 1 year. Lessee may exercise its right to extend the lease by providing prior written notice to Lessor thirty (30) days prior to the end of the current term. This lease shall govern the right and obligations of the parties during any extended terms unless specifically modified in writing by both parties. In the event Lessee does not provide prior written notice to Lessor of its intent to exercise its right to extend the lease and Lessee remains in possession of the Leased Premises, Lessee shall be deemed to be occupying the Leased Premises as a month-to-month tenant, and shall continue to be liable for the rent that is applicable on the last day of the term of the lease until such time as Lessee vacates the Leased Premises.

7. ALTERNATION: The Lessee shall not make any alterations to the exterior or interior of any improvements located on the Leased Premises without the written consent of the Lessor, which consent shall not be unreasonably withheld, conditioned or delayed. Any Lessor-approved alterations and to any improvements located on the Leased Premises by the Lessee during the Term, shall be forfeited at the end of the lease and shall become the property of the Lessor, provided that trade fixtures shall continue to be the sole property of Lessee. Lessee shall repair, without expense to the Lessor, all breakage of glass and all other damage to the Leased Premises, including overhead doors, except for normal wear and tear and those damages that occur as a result or arise out of Lessor's actions or negligence. As appropriate, the Lessee, at its sole expense, may install fencing and gates to meet its business needs.
8. QUIET ENJOYMENT: The Lessee shall be entitled to the use of the Leased Premises for and during the Term of the Lease. The Lessor shall have the right to inspect the Leased Premises at reasonable times.
9. DESTRUCTION BY FIRE OR CASUALTY: If fire or other casualty destroys all of the Leased Premises, then this lease shall automatically terminate. If part of the Leased Premises is destroyed by fire or other casualty, then the Lessor shall have the right to repair the Leased Premises over a reasonable time and the Rent shall be abated in a proportionate amount to the degree of damage done and to the extent that Lessee is able to continue its use of the Leased Premises as provided for in this lease. In the alternative, the Lessor may choose not to make the necessary repairs, in which case the lease shall be terminated without liability to either party.
10. INDEMNITY AND HOLD-HARMLESS: The Lessee and Lessor shall be responsible for each of their actions and the actions of all of their respective agents, heirs, assigns, and invitees to the Leased Premises. By execution hereof, Lessee agrees to indemnify and hold harmless the Lessor, its heirs and assigns from liability arising out of the grossly negligent acts or willful misconduct of Lessee in connection to its use of the Leased Premises, a violation of any law by Lessee in connection to its use of the Leased Premises, or a violation or breach of any provision of this lease by Tenant.
11. INSURANCE Lessee shall maintain insurance for all personal property located within the Leased Premises as well as general liability policy in the amount of One Million Dollars ($1,000,000.00) with Lessor as an additional insured.
12. SUBLEASE: The Lessee shall not sublease the Leased Premises or assign this leas or any portion thereof without the written consent of the Lessor, which consent shall be not unreasonably withheld, conditioned, or delayed.
13. MAINTENANCE: Lessee shall keep the Leased Premises free and clear of all rubbish and trash and shall return the Leased Premises in broom-clean condition at the end of the Term.
14. UTILITIES: Any and all associated utilities shall be the responsibility of the Lessee.

15. NOTICES AND REMITTANCE: Until a change of address is communicated, rent shall be provided to Lessor at:

Miller Investments & Properties, LLC

P O Box 665 (105 N 8th Ave)

Stroud, Ok 74079

Written notices to Lessee shall be provided to the address specified on the first page of this lease.

16. DEFAULT: In the event of a default, the non-defaulting party may terminate this lease, as its sole and exclusive remedy, by providing fifteen (15) days notice to the defaulting party.
17. TAXES: Lessor shall pay all applicable real property taxes when due and payable
18. MODIFICATION: No modification or amendment of this lease shall be effective unless in writing and signed by both parties.
19. SUCCESSORS AND ASSIGNS: This lease shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.
20. COUNTERPARTS AND FACSIMILE SIGNATURE: This lease may be executed in any number of counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one instrument, and by facsimile signature, which shall be deemed original signatures of the parties hereto.
21. ATTORNEY'S FEES: If legal action is instituted in connection to this lease, the losing party shall reimburse the prevailing party for its reasonable attorney's fees and other litigations-related costs as determined by the court in which such action is prosecuted.
22. ENTIRE AGREEMENT: This lease constitutes the sole understanding and entire agreement of the parties hereto.

IN WITNESS WHEREOF, we set our hands on the date aforesaid.

LESSOR:

MILLER INVESTMENTS & PROPERTIES, LLC,
An Oklahoma limited Liability Company

BY: _____
Name: Bobby D. Miller

LESSEE:

Miller Environmental Transfer, LLC
an Oklahoma corporation

BY: _____
Name: Todd Ray, President

Description of Leased Premises

Legal: Beginning W 24.75′ of NEC, SE/4, SE/4 thence W 1291.30′ thence S 72.11′ thence SW 12.13′ thence S 473.42′ thence SE 272.45′ thence NELY on curve 407.53′ thence NE 213.30′ thence ELY on curve 140.49′ thence N 358.39′ thence E 635′ thence N 100′ to POB, an area of 10.21 ac MOL, and all located in Section: 23 Township:19N Range:12E

ATTACHMENT E

<u>Disclosure Statement</u>

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Disclosure Statement

The permit applicant for the proposed materials management facility is Miller Environmental Transfer, LLC (MET). The full name and business address of MET an its owners is as follows:

1) Company

Miller Environmental Transfer, LLC
4231 S Elwood Ave.
Tulsa, OK 74107
(918) 764-9503

2) Company Ownership

MET owners and percentage ownership is as follows:
a. James L Miller – 37.5%
b. Bobby D. Miller – 37.5%
c. John "Todd" Ray – 25%

2) Director of Operations

The proposed Material Processing Facility will be managed by:
John "Todd" Ray – MET, President/GM
4231 S Elwood Ave.
Tulsa, OK 74107

3) Site Ownership

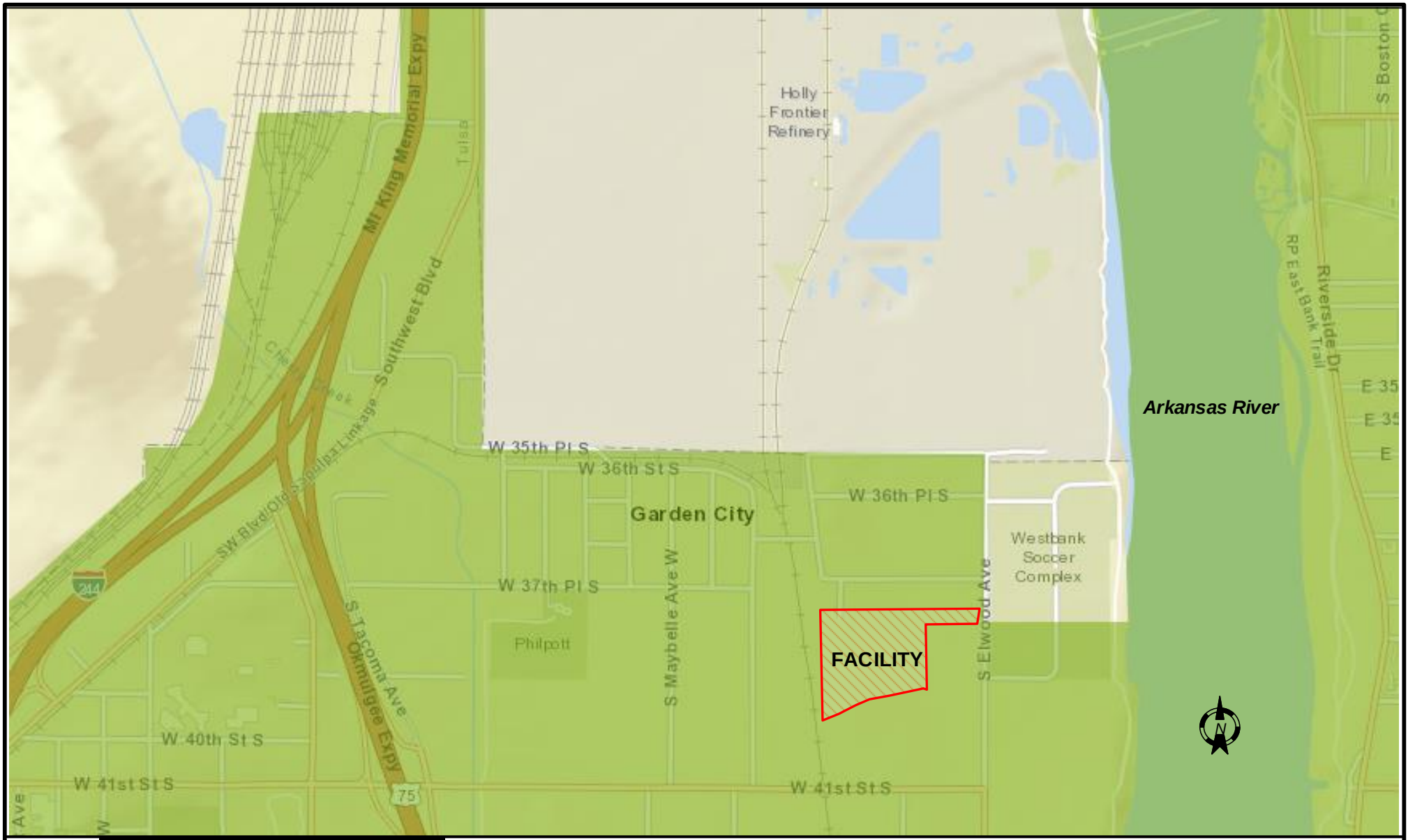
The proposed facility will be located on property owned by *Miller Investments & Properties*. Please note that James L. Miller and Bobby D. Miller, two of the owners of MET are also are principles of the property owner.

4) Administrative, Civil or Criminal Actions

There have been no administrative, Civil or criminal actions against MET or any affiliated person which resulted in a final agency, order or final judgement by a court of record, including final order or judgement on appeal, in the 10 years preceding the filing of this application.

ATTACHMENT F

General Location Maps



ENVIRONMENTAL miller TRANSFER

ATTACHMENT F

General Location Map

Material Processing Facility
3800 S Elwood Avenue
Tulsa, Oklahoma 74107

ATTACHMENT G

Temporary Easement

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

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. (TBD) , issued ~~by the Oklahoma State Department of Health, the predecessor in interest to the Oklahoma Department of Environmental Quality (DEQ)~~ on (TBD) , Miller Environmental Transfer , (his/her heirs and assigns) (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): Beginning W 24.75' of NEC, SE/4, SE/4 thence W 1291.30' thence S 72.11' thence SW 12.13' thence S 473.42' thence SE 272.45' thence NELY on curve 407.53' thence NE 213.30' thence ELY on curve 140.49' thence N 358.39' thence E 635' thence N 100' to POB, an area of 10.21 ac MOL, and all located in Section: 23 Township:19N Range:12E, more particularly described as the permitted area of Material Processing Facility ~~landfill~~, Oklahoma Department of Environmental Quality Permit Number (TBD) ; and

Tract 2 (the borrow area): NA .

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 (his/her/its) hand this 8th day of February , 20 19 .

Todd Ray, President

(Name, 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 8th day of February, 2019, personally appeared Todd Ray, President, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that (he/she) executed the same as (his/her) 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 Public

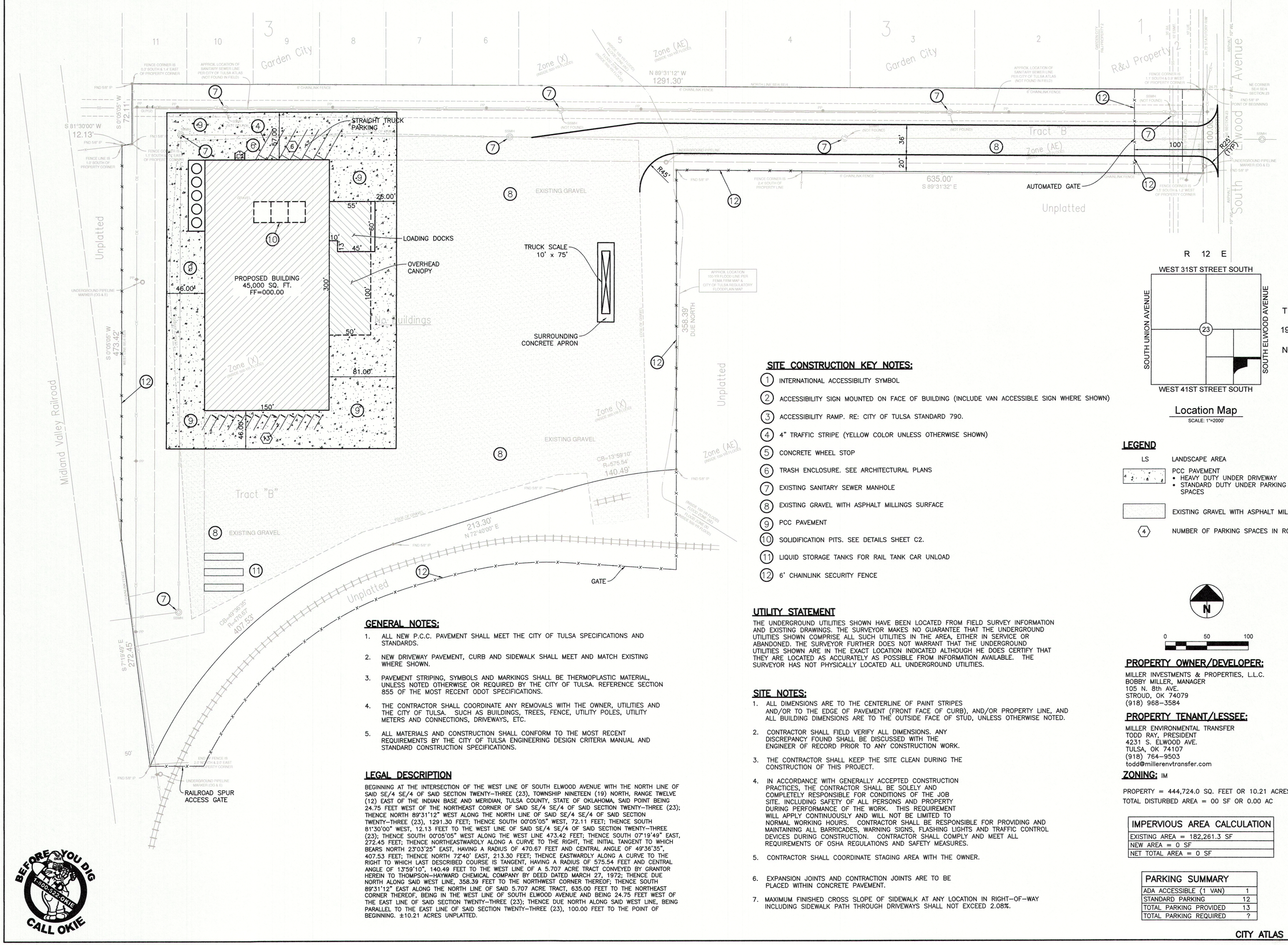
My commission expires:

_____

ATTACHMENT H

Lease Area/Site Map

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX



Location Map

SCALE: 1"=2000'

GENERAL NOTES:

1. ALL NEW P.C.C. PAVEMENT SHALL MEET THE CITY OF TULSA SPECIFICATIONS AND STANDARDS.
2. NEW DRIVEWAY PAVEMENT, CURB AND SIDEWALK SHALL MEET AND MATCH EXISTING WHERE SHOWN.
3. PAVEMENT STRIPING, SYMBOLS AND MARKINGS SHALL BE THERMOPLASTIC MATERIAL, UNLESS NOTED OTHERWISE OR REQUIRED BY THE CITY OF TULSA. REFERENCE SECTION 855 OF THE MOST RECENT ODOT SPECIFICATIONS.
4. THE CONTRACTOR SHALL COORDINATE ANY REMOVALS WITH THE OWNER, UTILITIES AND THE CITY OF TULSA. SUCH AS BUILDINGS, TREES, FENCE, UTILITY POLES, UTILITY METERS AND CONNECTIONS, DRIVEWAYS, ETC.
5. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE MOST RECENT REQUIREMENTS BY THE CITY OF TULSA ENGINEERING DESIGN CRITERIA MANUAL AND STANDARD CONSTRUCTION SPECIFICATIONS.

LEGAL DESCRIPTION

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SOUTH ELWOOD AVENUE WITH THE NORTH LINE OF SAID SE/4 SE/4 OF SAID SECTION TWENTY–THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, SAID POINT BEING 24.75 FEET WEST OF THE NORTHEAST CORNER OF SAID SE/4 SE/4 OF SAID SECTION TWENTY–THREE (23); THENCE NORTH 89°31'12" WEST ALONG THE NORTH LINE OF SAID SE/4 SE/4 OF SAID SECTION TWENTY–THREE (23), 1291.30 FEET; THENCE SOUTH 00°05'05" WEST, 72.11 FEET; THENCE SOUTH 81°30'00" WEST, 12.13 FEET TO THE WEST LINE OF SAID SE/4 SE/4 OF SAID SECTION TWENTY–THREE (23); THENCE SOUTH 00°05'05" WEST ALONG THE WEST LINE 473.42 FEET; THENCE SOUTH 07°19'49" EAST, 272.45 FEET; THENCE NORTHEASTWARDLY ALONG A CURVE TO THE RIGHT, THE INITIAL TANGENT TO WHICH BEARS NORTH 23°03'25" EAST, HAVING A RADIUS OF 470.67 FEET AND CENTRAL ANGLE OF 49°36'35", 407.53 FEET; THENCE NORTH 72°40' EAST, 213.30 FEET; THENCE EASTWARDLY ALONG A CURVE TO THE RIGHT TO WHICH LAST DESCRIBED COURSE IS TANGENT, HAVING A RADIUS OF 575.54 FEET AND CENTRAL ANGLE OF 13°59'10", 140.49 FEET TO THE WEST LINE OF A 5.707 ACRE TRACT CONVEYED BY GRANTOR HEREIN TO THOMPSON–HAYWARD CHEMICAL COMPANY BY DEED DATED MARCH 27, 1972; THENCE DUE NORTH ALONG SAID WEST LINE, 358.39 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°31'12" EAST ALONG THE NORTH LINE OF SAID 5.707 ACRE TRACT, 635.00 FEET TO THE NORTHEAST CORNER THEREOF, BEING IN THE WEST LINE OF SOUTH ELWOOD AVENUE AND BEING 24.75 FEET WEST OF THE EAST LINE OF SAID SECTION TWENTY–THREE (23); THENCE DUE NORTH ALONG SAID WEST LINE, BEING PARALLEL TO THE EAST LINE OF SAID SECTION TWENTY–THREE (23), 100.00 FEET TO THE POINT OF BEGINNING. ±10.21 ACRES UNPLATTED.

SITE CONSTRUCTION KEY NOTES:

① INTERNATIONAL ACCESSIBILITY SYMBOL
② ACCESSIBILITY SIGN MOUNTED ON FACE OF BUILDING (INCLUDE VAN ACCESSIBLE SIGN WHERE SHOWN)
③ ACCESSIBILITY RAMP. RE: CITY OF TULSA STANDARD 790.
④ 4" TRAFFIC STRIPE (YELLOW COLOR UNLESS OTHERWISE SHOWN)
⑤ CONCRETE WHEEL STOP
⑥ TRASH ENCLOSURE. SEE ARCHITECTURAL PLANS
⑦ EXISTING SANITARY SEWER MANHOLE
⑧ EXISTING GRAVEL WITH ASPHALT MILLINGS SURFACE
⑨ PCC PAVEMENT
⑩ SOLIDIFICATION PITS. SEE DETAILS SHEET C2.
⑪ LIQUID STORAGE TANKS FOR RAIL TANK CAR UNLOAD
⑫ 6' CHAINLINK SECURITY FENCE

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.

SITE NOTES:

1. ALL DIMENSIONS ARE TO THE CENTERLINE OF PAINT STRIPES AND/OR TO THE EDGE OF PAVEMENT (FRONT FACE OF CURB), AND/OR PROPERTY LINE, AND ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF STUD, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS. ANY DISCREPANCY FOUND SHALL BE DISCUSSED WITH THE ENGINEER OF RECORD PRIOR TO ANY CONSTRUCTION WORK.
3. THE CONTRACTOR SHALL KEEP THE SITE CLEAN DURING THE CONSTRUCTION OF THIS PROJECT.
4. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE. INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND WILL NOT BE LIMITED TO NORMAL WORKING HOURS. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING ALL BARRICADES, WARNING SIGNS, FLASHING LIGHTS AND TRAFFIC CONTROL DEVICES DURING CONSTRUCTION. CONTRACTOR SHALL COMPLY AND MEET ALL REQUIREMENTS OF OSHA REGULATIONS AND SAFETY MEASURES.
5. CONTRACTOR SHALL COORDINATE STAGING AREA WITH THE OWNER.
6. EXPANSION JOINTS AND CONTRACTION JOINTS ARE TO BE PLACED WITHIN CONCRETE PAVEMENT.
7. MAXIMUM FINISHED CROSS SLOPE OF SIDEWALK AT ANY LOCATION IN RIGHT–OF–WAY INCLUDING SIDEWALK PATH THROUGH DRIVEWAYS SHALL NOT EXCEED 2.08%.

LEGEND

LS	LANDSCAPE AREA
▨	PCC PAVEMENT • HEAVY DUTY UNDER DRIVEWAY • STANDARD DUTY UNDER PARKING SPACES
░	EXISTING GRAVEL WITH ASPHALT MILLINGS SURFACE
⟨4⟩	NUMBER OF PARKING SPACES IN ROW

PROPERTY OWNER/DEVELOPER:

MILLER INVESTMENTS & PROPERTIES, L.L.C.
BOBBY MILLER, MANAGER
105 N. 8th AVE.
STROUD, OK 74079
(918) 968–3584

PROPERTY TENANT/LESSEE:

MILLER ENVIRONMENTAL TRANSFER
TODD RAY, PRESIDENT
4231 S. ELWOOD AVE.
TULSA, OK 74107
(918) 764–9503
todd@millerenvtransfer.com

ZONING: IM

PROPERTY = 444,724.0 SQ. FEET OR 10.21 ACRES
TOTAL DISTURBED AREA = 00 SF OR 0.00 AC

IMPERVIOUS AREA CALCULATION
EXISTING AREA = 182,261.3 SF
NEW AREA = 0 SF
NET TOTAL AREA = 0 SF

PARKING SUMMARY	
ADA ACCESSIBLE (1 VAN)	1
STANDARD PARKING	12
TOTAL PARKING PROVIDED	13
TOTAL PARKING REQUIRED	?

CITY ATLAS PAGE NO. 140

Brian A. Casement
16873
02/18/2019

DATE	REVISION	BY

CASEMENT ENGINEERING, LLC
CIVIL AND AGRICULTURAL SERVICES
P.O. Box 688
Owasso, OK 74055-0688
MOBILE: 918.740.7650
EMAIL: BCASEMENT54@YAHOO.COM
CERTIFICATE OF AUTHORIZATION NO. 5433
EXPIRES JUNE 30, 2020

STIPULATION FOR REUSE OR ALTERATION
THIS DRAWING IS PREPARED FOR USE ON A SPECIFIC SITE, AND IT IS NOT SUITABLE NOR AUTHORIZED FOR USE ON A DIFFERENT PROJECT SITE. USE OF THIS DRAWING FOR REFERENCE OR EXAMPLE ON ANOTHER PROJECT REQUIRES THE APPROVAL OF THE ENGINEER OF RECORD. MODIFICATION OF THIS DOCUMENT WITHOUT THE AUTHORIZATION OF THE ENGINEER OF RECORD IS PROHIBITED.

SITE PLAN

MILLER ENVIRONMENTAL TRANSFER, LLC
MATERIAL PROCESSING FACILITY
3800 S. ELWOOD AVE.,
TULSA, OK 74107

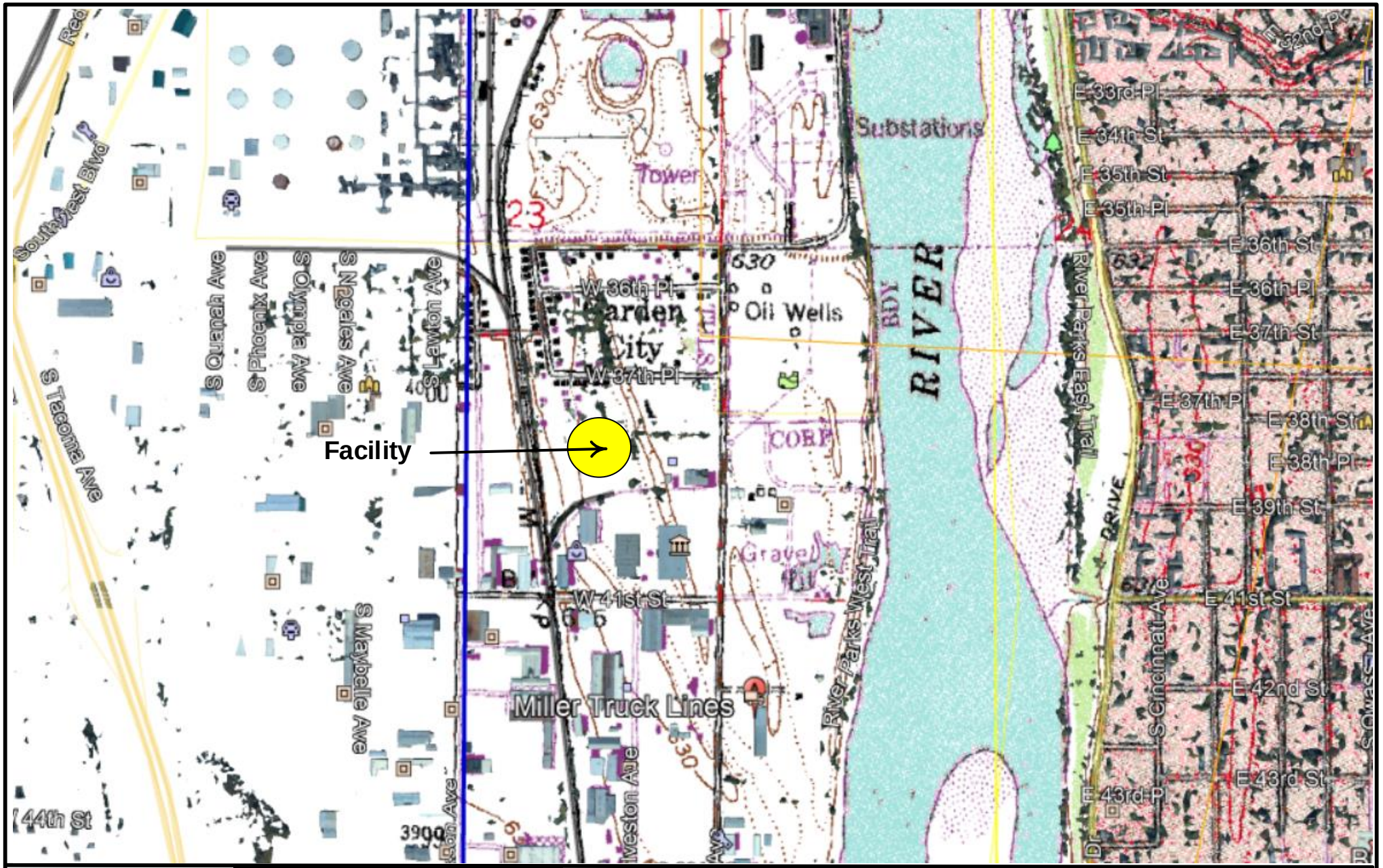
DRAWN BY:	RLL
APPV. BY:	BC
DATE:	02/18/19
SHEET	C1

BEFORE YOU DIG
1-800-522-OKIE
CALL OKIE

ATTACHMENT I

Topographic Map

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX



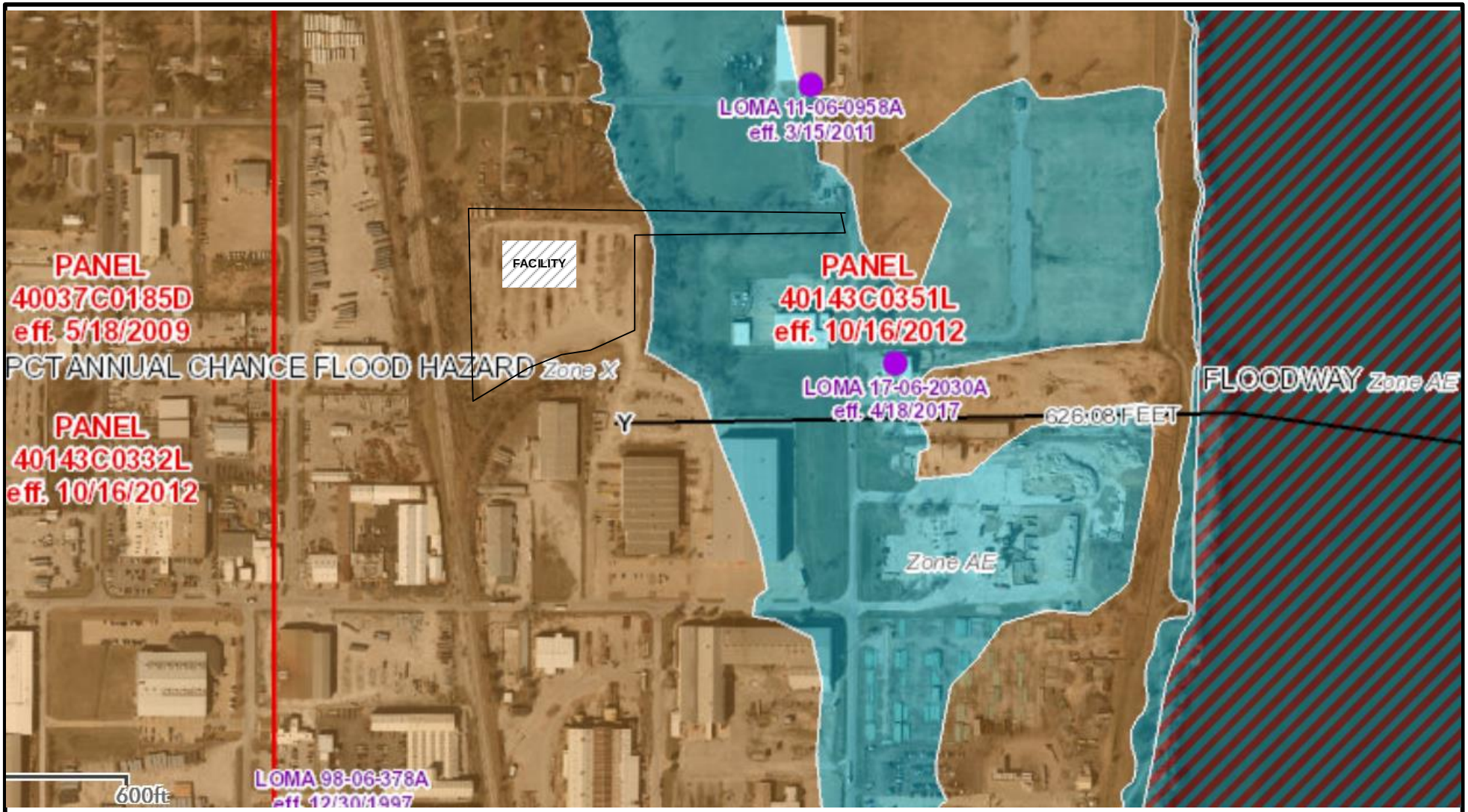
ENVIRONMENTAL miller TRANSFER

TOPOGRAPHIC MAP

Material Processing Facility
3800 S Elwood Avenue
Tulsa, Oklahoma 74107

ATTACHMENT J

Floodplain Map



APEX COMPANIES, LLC
4608 S. Garnett Road, Suite 100
Tulsa, OK 74146
Phone: (918) 660-3543 Fax: (918) 610-3556
www.apexcos.com

ENVIRONMENTAL miller TRANSFER

FLOOD PLAIN MAP

Material Processing Facility

ATTACHMENT K

<u>Letter from River Parks Authority (pending)</u>

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

APPENDIX K

(Placeholder for letter from River Parks Authority)

ATTACHMENT L

Letter – OK Dept of Wildlife Conservation

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
Phone: (918) 581-7458 Fax: (918) 581-7467
http://www.fws.gov/southwest/es/Oklahoma/

In Reply Refer To: October 18, 2018
Consultation Code: 02EKOK00-2019-SLI-0168
Event Code: 02EKOK00-2019-E-00377
Project Name: Tulsa Recycling Facility

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 http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

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 http://www.fws.gov/southwest/es/oklahoma/OKESFO%20Permit%20Home.htm.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oklahoma Ecological Services Field Office
9014 East 21st Street
Tulsa, OK 74129-1428
(918) 581-7458

Project Summary

Consultation Code: 02EKOK00-2019-SLI-0168

Event Code: 02EKOK00-2019-E-00377

Project Name: Tulsa Recycling Facility

Project Type: Guidance

Project Description: Waste management facility.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/36.10665324251372N95.9967013300775W

Counties: Tulsa, OK

Endangered Species Act Species

There is a total of 5 threatened, endangered, or candidate species on this 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Least Tern *Sterna antillarum* Population: interior pop. No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8505	Endangered
Piping Plover *Charadrius melodus* Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot *Calidris canutus rufa* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Insects

NAME	STATUS
American Burying Beetle *Nicrophorus americanus*	Endangered

Population: Wherever found, except where listed as an experimental population
No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/66

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

---

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Aug 31
Harris's Sparrow *Zonotrichia querula* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere

NAME	BREEDING SEASON
Hudsonian Godwit *Limosa haemastica* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Kentucky Warbler *Oporornis formosus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Prothonotary Warbler *Protonotaria citrea* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker *Melanerpes erythrocephalus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird *Euphagus carolinus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Semipalmated Sandpiper *Calidris pusilla* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Wood Thrush *Hylocichla mustelina* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see

below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

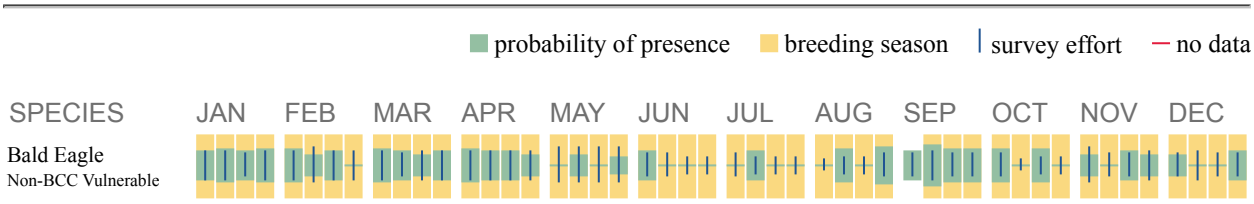
1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

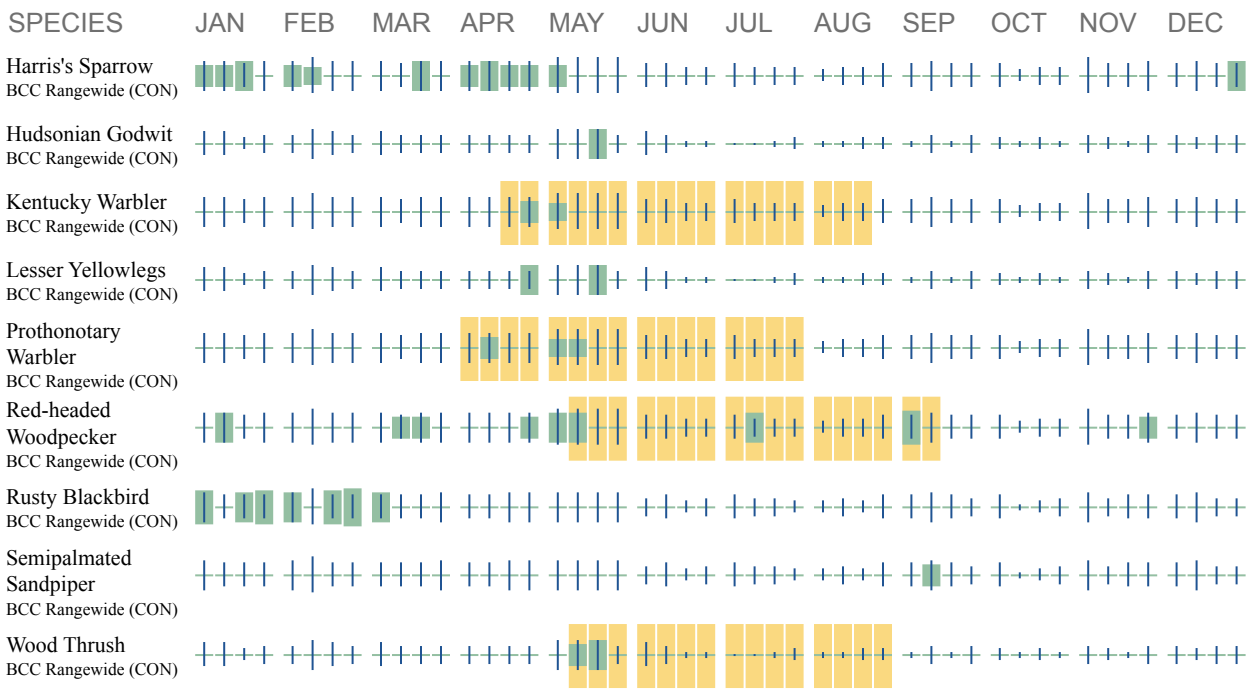
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the E-bird Explore Data Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?
The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?
Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and

3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell

me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

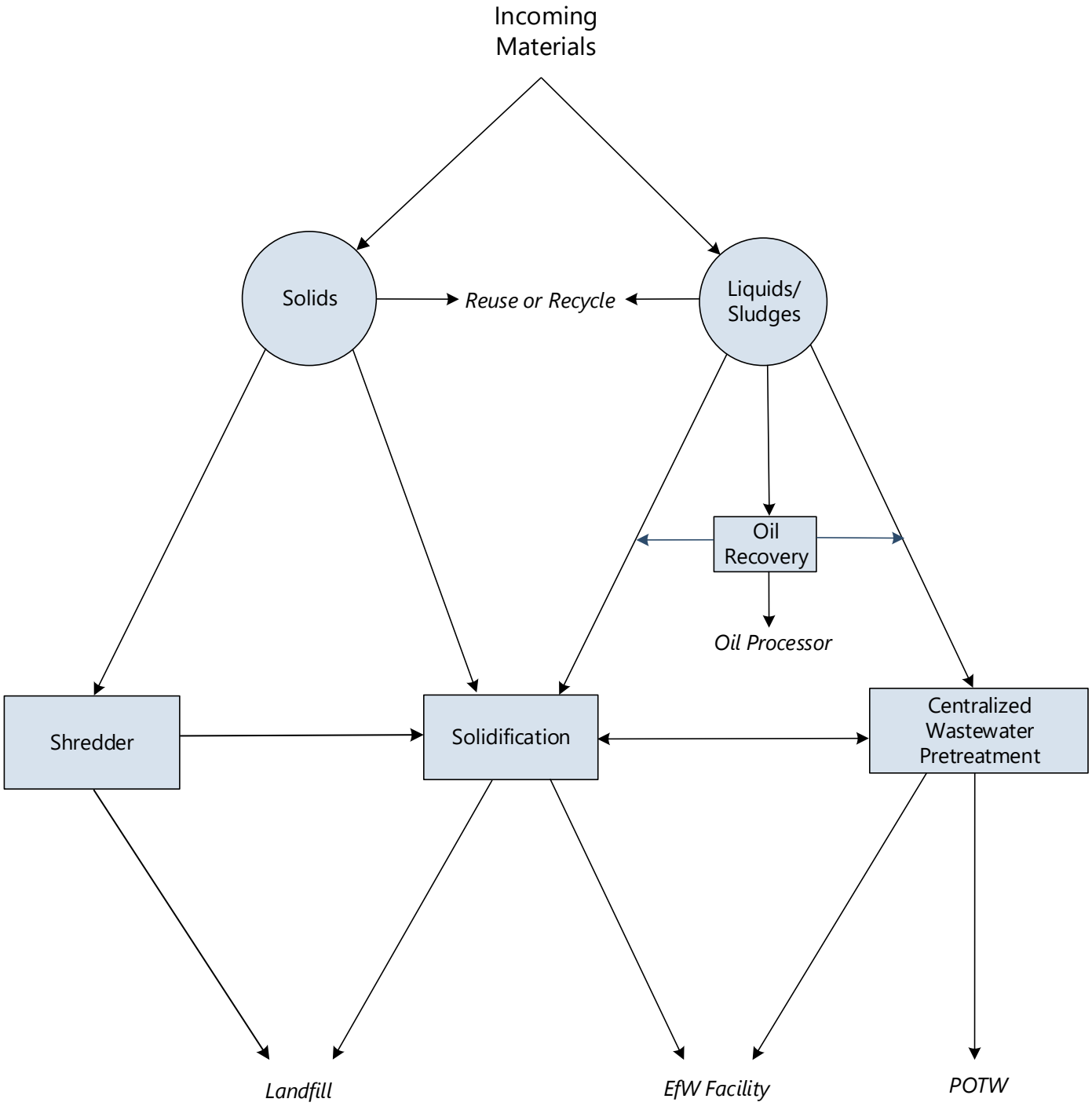
ATTACHMENT M

Material Processing Flow Diagram

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Process Flow Diagram
Overview

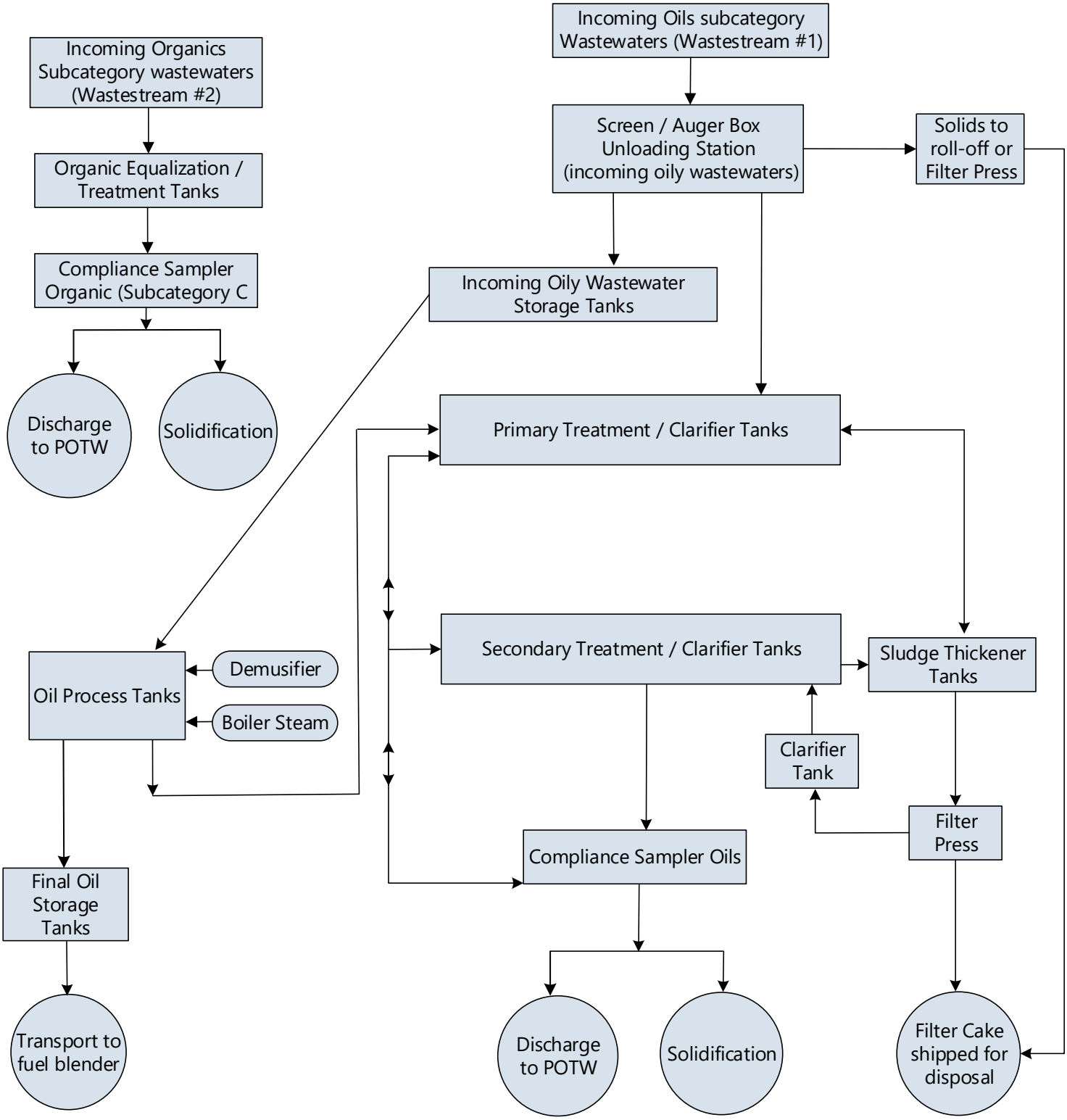
Material Processing Facility



February 2019

Process Flow Diagram
Wastewater Treatment

Material Processing Facility

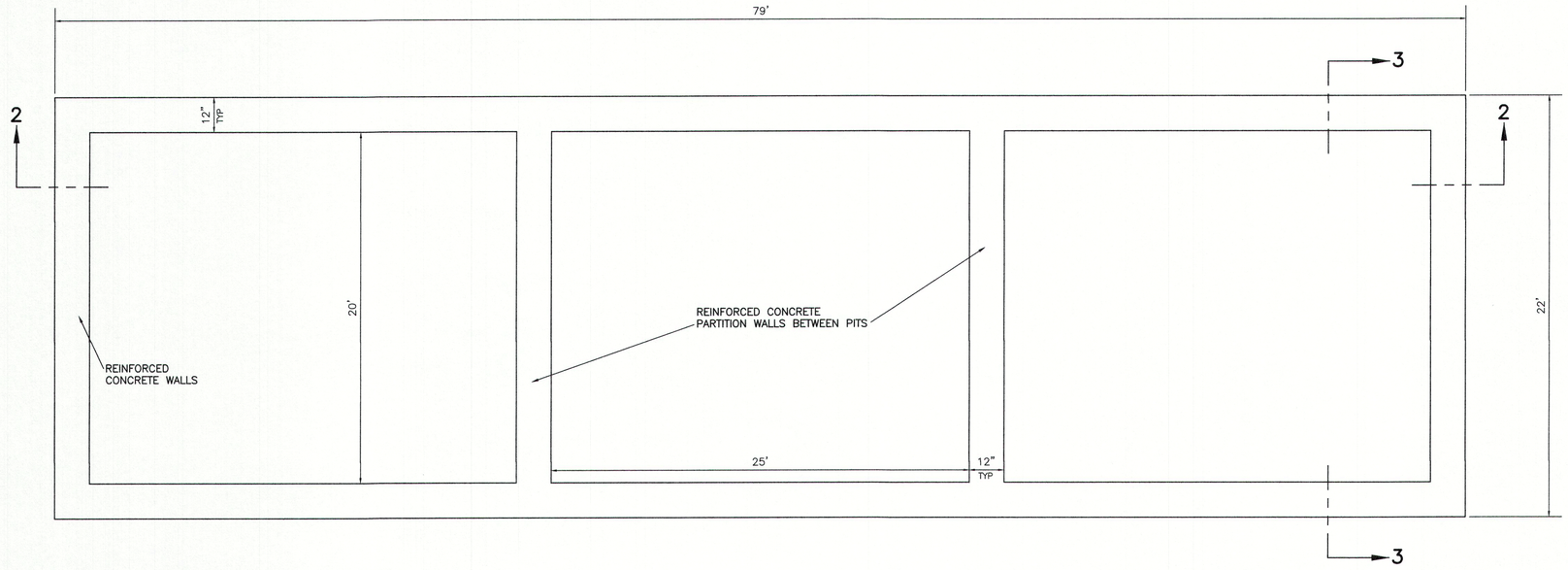


February 2019

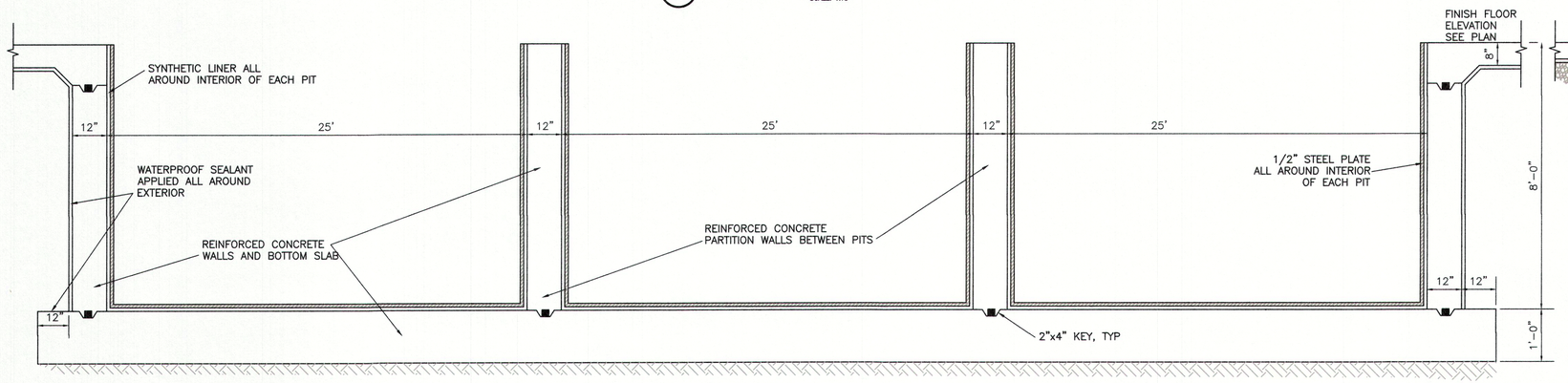
ATTACHMENT N

Solidification Pit

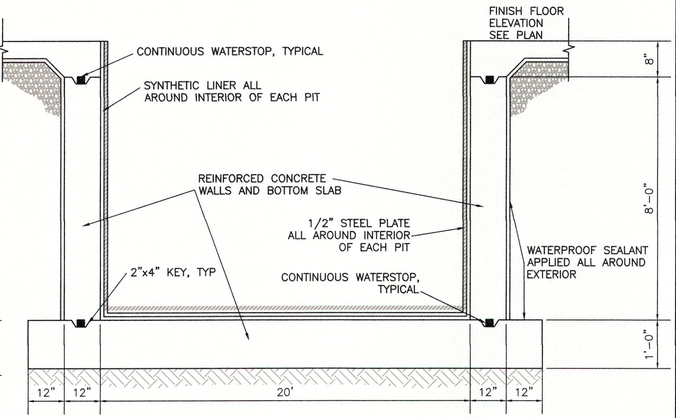
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX



1 SOLIDIFICATION PITS – TOP VIEW
SCALE: NTS



2 SOLIDIFICATION PITS – FRONT SECTION VIEW
SCALE: NTS



3 SOLIDIFICATION PITS – SIDE SECTION VIEW
SCALE: NTS

LEVELS OF CONTAINMENT SYSTEM PROTECTION

PRIMARY – 1/2" STEEL PLATE
SECONDARY – SYNTHETIC LINER
TERTIARY – REINFORCED CONCRETE WALL WITH EXTERIOR WATERPROOF SEALANT

BEFORE YOU DIG CALL OKIE 1-800-522-OKIE

Brian A. Casement 16873 PROFESSIONAL ENGINEER LICENSED OKLAHOMA
02/18/2019

DATE	REVISION	BY

CASEMENT ENGINEERING, LLC
CIVIL AND AGRICULTURAL SERVICES
P.O. Box 688
Owasso, OK 74055-0688
MOBILE: 918.740.7650
EMAIL: BCASEMENT54@YAHOO.COM
CERTIFICATE OF AUTHORIZATION NO. 5433
EXPIRES JUNE 30, 2020

SOLIDIFICATION PITS DETAILS

MILLER ENVIRONMENTAL TRANSFER, LLC
MATERIAL PROCESSING FACILITY
3800 S. ELWOOD AVE.,
TULSA, OK 74107

DRAWN BY:	RLL
APPV. BY:	BC
DATE:	02/18/19

SHEET C2

ATTACHMENT O

Waste Exclusion Plan

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Waste Exclusion Plan

Material Processing Facility

Version 0 - February 2019

Table of Contents

WASTE EXCLUSION PLAN

Overview

This Waste Exclusion Plan ("WEP") will be implemented at the Material Processing Facility (MPF) to identify and prevent prohibited wastes from being Processed at the Facility and was prepared in conformance with the Oklahoma Solid Waste regulations at OAC 252:515-29. Excluded wastes will not be accepted at the facility due to either regulatory, operational or other environmental reasons.

The MPF will receive and Process non-hazardous industrial waste and commercial non-hazardous waste materials. Waste streams considered for facility Processing will undergo an approval Process prior to acceptance, while individual waste deliveries will undergo an inspection and approval Process before being allowed to off-load to the facility Process area. A flow diagram of the inspection and acceptance procedures is attached.

Waste Profiling

Material Approval Process

All waste streams proposed for Processing at the facility by the Generator will be evaluated and characterized to assure acceptability by use of a *Waste Profile Form*. The form information will be completed and certified as accurate by signature of the Waste Generator and be used to determine if the proposed waste stream meets the MPF acceptance criteria.

When a waste stream is approved, a *Waste Approval Form* will be completed by MPF, and the waste stream will be assigned a unique *Waste Identification Number*.

Proposed waste materials determined to not be acceptable, a *Waste Rejection Form* will be completed, which is attached to the *Waste Profile Form* and retained in the MPF records.

Waste Receiving

1. *Waste Measurement*: Incoming waste trucks/deliveries will be weighed and recorded prior to going through the Waste Acceptance Process. The net weight will be determined by subtracting the truck's empty weight, if known, or measured following off-loading. Calibrated scales will be utilized that are located near the facility entrance/exit road.

2. *Manifest*: Waste materials delivered to the facility will initially be checked for having a complete, accurate and acceptable *Manifest* that accompanies each waste stream being delivered. If a manifest does not meet the acceptance standard, the waste stream(s) for that manifest will not be allowed to off-load until an acceptable manifest information has been provided.

3. *Waste Approval Form*: Waste materials with acceptable Manifests will be further screened to determine if the waste(s) has been issued a *Waste Approval Form* and assigned a *Waste Identification Number*. Any waste materials not completing this pre-screening Process will not be allowed to be off-load until the Process is completed and approved, or otherwise will be rejected and not be allowed to off-load.

4. *Characteristics Screening*: All incoming materials will undergo a visual screening to determine if they meet the expected quality and the material description in the manifest and the *Waste Profile Form*. In addition, samples will be checked as needed for general characteristics such as pH, specific gravity, color, clarity, etc. Materials that are questionable or fail to meet the inspection criteria will not be allowed to off-load until all questions are resolved and all criteria have been met.

5. *Sample Screening*: Incoming waste loads will also be subject to random sample screening Process. The purpose of the sample screening will be to verify the delivered materials meet the waste characteristics used to approve the *Waste Profile Form*. Containerized waste materials being screened will be unloaded into a designated holding area isolated from the materials to be processed and remain there until all required testing has been completed and test results known. If the sample screening results show the waste materials meet the conditions contained in the *Waste Profile Form* the materials will be moved to the processing area and processed. Any wastes found to be questionable will be held until resolved or returned to the generator as determined appropriate not to exceed one week from notification of the sample results.

   Facility personnel responsible for conducting the sample screening inspections will meet and follow all of the following requirements:

   - Be familiar with the Waste Stream Approval Process.
   - Be familiar with the waste stream being sampled and its characteristics and basis for acceptance.
   - Review and verify all waste *Manifest* are complete and accurate.
   - Visually inspect received waste for any discrepancies.
   - Be familiar with the proper sampling technique, sample storage and the parameters for measurement associated with the waste stream.
   - Conduct proper sampling of the waste material(s).
   - Complete proper storage of the sample.
   - Complete a Chain-of-Custody (COC) and deliver the sample(s) and COC to the laboratory in a timely manner.

Sampling Procedures

Sample screening of materials will be based on the type of delivery system utilized, and conducted either with either of two approaches, for general or chemical-specific characteristics.

Characteristics Screening Sampling

Bulk Liquid Screening

Liquid materials being delivered in tanker trucks will be sampled using a Coliwasa sampling device. The sample will be evaluated to determine if the material is consistent with its approved Waste Profile Form for general characteristics such as color, odor, pH, % oil, etc.). Waste streams that pass the pre- screening evaluation will be accepted and off-loaded, unless the waste has been designated for sample screening as well. Waste streams that do not pass the pre- screening evaluation will not be off-loaded unless all identified issues are resolved. Waste streams not passing the pre-screening evaluation will be rejected.

Containerized Materials Screening

Containerized materials will be screened prior to off-loading. A minimum of 10% of each waste stream's containers will be evaluated to determine if the material is consistent with its approved Waste Profile Form for general characteristics such as color, odor, pH, % oil, etc.). Waste streams that pass the pre-screening evaluation and are accompanied by a properly completed and acceptable manifest will be off-loaded for Processing, unless the sample(s) have been designated for sample screening as well. Waste streams that do not pass the pre-screening evaluation will be rejected.

Non-containerized Materials Screening

Non-containerized materials will be visually screened prior to off-loading. Waste streams that pass the pre-screening evaluation and are accompanied by a properly completed and acceptable manifest will be off-loaded for Processing, unless the wastes have been designated for sample screening as well. Waste streams that do not pass the pre-screening evaluation will be rejected.

Waste Screening Sampling

The following sample procedures will be followed for identified waste delivery methods:

1) Bulk liquid samples will have a representative sample of at least 150 mL. The sample will be retained for a minimum of 90 days after delivery to the laboratory.

2) Containerized liquids that are not used oil will have a representative sample of at least 25 mL and not require a retained sample.

3) Containerized waste solids will be visually inspected and not require a retained sample.

4) Containerized used oily wastewater will have a representative sample of at least 15 mL retained for a period of no less than 60 days from the day of receipt.

5) For delivered containers, methods found in Appendix E of EPA/ 530-SW-46- 012, "Waste Analysis Plans: A Guidance Manual," shall be used as a general guideline for sampling technique.

Sample Screening Test Methods

MPF will use specific test methods for all internal testing and fingerprinting:

1) For pH determination, either a calibrated electronic pH meter or color test strips will be used for sample screening.

2) For flash point testing, Pensky-Martens closed-cup flash point tester (PMA5) under ASTM D93 A+B+C, or a SETA flash tester under ASTM D3278 Rev. 96 will be used.

3) For halogen content, EPA SW-846 method 9077 field test kits will be used:

- For >/< l000 ppm determination when water content is less than 20%, a Chlor-D-Test 1000 will be used
- For 0 ppm to 4000 ppm, or >4000 ppm determination when water content is less than 20%, a Chlor-D-Test 4000 will be used. A high-Range Dilution will be performed if necessary
- For samples where water content is higher than 20%, Hydro-Chor Q will be used.

Material Acceptance/Rejection Process

Prohibited Wastes

If incoming materials are identified as a prohibited waste during the sample-screening, the material will be rejected and not off-loaded and the Generator (or Authorized Representative) notified. If all issues are resolved the materials will be off-loaded, and if not, the material will be rejected and returned to the Generator and/or another designated location as directed by the Generator. Notifications to DEQ will be made for any rejected materials.

If prohibited wastes are discovered by Facility employees in the processing area, the EH&S Coordinator (or designee) will take following steps:

1. Decontamination and/or medical attention/assistance will be immediately provided to Facility personnel who were exposed to the prohibited materials and known to have potential health impacts due to the exposure.
2. The source (Generator) of the prohibited material(s) will be identified.
3. The suspect waste shall be moved to the isolation area.
4. The Plant Supervisor, Facility Manager, or their designee, shall be notified;
5. Facility Management will contact the Waste Hauler and/or the Waste Generator to arrange for transportation and proper management/ destruction of the waste.
6. ODEQ will be notified according to procedures.
7. The EH&S Manager will conduct a review of the screening inspection or screening Processes to determine if modifications of inspection procedures are warranted.

Rejection of Unacceptable Wastes

Unacceptable waste can be rejected by MPF based on the conclusion that the material might cause interference or negative impacts on the Processing equipment or the facility final products. The waste hauler will be directed to remove the waste from the Facility (if still present), or the Waste Generator (or Authorized Representative) will be contacted to request removal of the materials.

Rejection Process: When the results of the screening inspection indicate that the delivered materials are not acceptable, un-loading of the materials at the Facility will not be allowed with the exception for sample screening testing (described above) and the following procedures will be implemented:

1. The DEQ shall be notified before the end of the next working day of any rejected material that contains a prohibited waste stream.

2. Such notification will be sent by email on a form that includes the following:
    - the date of rejection;

- the basis for rejection;
- the name, address, phone number and contact person of the waste generator when such data is readily available; and/or
- the name of the driver, tag number of the delivery vehicle, the company providing delivery services including the company's address, telephone number and contact person when such data can be obtained.

Acceptance Process: When the manifest review and the screening inspection has been completed and found to be acceptable, the materials will be off-loaded to await Processing. A receipt of material acceptance and off-loading to the facility will be provided to the material delivery person.

Training

Initial Training: All Facility personnel whose job functions involve receipt of wastes must undergo a minimum of eight (8) hours of initial training. Personnel who have not completed the initial training can assist with waste receipt operations, but only while under the direct supervision of a properly trained and experienced waste receipt operator. Initial training will focus on the following areas:

- federal and state waste regulations
- materials excluded from receipt
- SOPs for conducting screening of incoming materials to identify excluded wastes
- SOPs for managing excluded wastes

Refresher Training: All personnel who have completed the Initial Training must undergo a minimum of four (4) hours annual calendar-year refresher training starting the year after initial training. The refresher training will include a summary of the curriculum stated above, and review of any changes made to the WEP or SOPs. Documentation of refresher training will also be maintained, as specified in Section 8.0 (Recordkeeping and Reporting).

Training Staff: All training will be conducted by senior Facility waste receipt staff with assistance from outside contractors as needed.

Training Records: All records of training of staff personnel will be retained in the Employee files located at the facility.

Appendix A

Excluded Wastes

Definitions
Prohibited wastes are defined in OAC 252:515-19-31 and include: hazardous, radioactive, regulated PCB waste, regulated medical waste, certain non-hazardous industrial wastes (NHIW) and asbestos;
Hazardous waste means those wastes as defined in 40 CFR Part 261;
Regulated medical waste refers to wastes defined in OAC 252:515-1-2;
Certain Non-Hazardous Wastes deemed by ODEQ as ineligible for disposal at the Facility based on permit requirements and/or applicable law;
Non- Processible waste refers to waste which the Facility determines is unacceptable for Processing primary due to operational constraints and Processing restrictions;
Unacceptable waste refers to waste that MPF designates as being inappropriate for processing based on the facility's conclusion the materials will potentially negatively impact operations and/or processing.

There are several types of wastes that are excluded from processing at the MPF and will not be allowed to be off-loaded. These include:

1. *Prohibited waste* as defined at OAC 252:515-19-31. The current list of prohibited waste includes the following:
    - Hazardous waste listed in 40 CFR Part 261
    - Solid waste that are hazardous by characteristic in 40 CFR Part 261 including:
        - Toxic
        - Ignitable
        - Corrosive
        - Flash point under 140°F
    - Regulated medical waste as defined in OAC 252:515-1-2
    - Radioactive waste
    - Regulated PCB waste, except waste with less than 50 ppm that is treated only for solidification.
    - Friable asbestos waste materials (ACM)

2. *Unacceptable waste* refers to waste that the MPF has determined could have potential negative impacts on processing operations or product quality, and generally includes the following:
    - Putrescible wastes (except specific pre-approved wastestreams)
    - Sanitary wastes
    - Wastes that interfere with waste processing
    - Wastes that might cause processed materials (i.e., products) to be unacceptable to the receiving facility

APPENDIX B

Waste Profile Form

Generator Waste Profile Form

A. GENERATOR INFORMATION (MATERIAL ORIGIN)

1. Generator Name: _____
2. Site Address: _____
3. (City, State, Zip): _____
4. County: _____
5. Contact Name: _____
6. Email: _____
7. Phone: _____
8. Fax: _____
9. State Waste Code: _____ ☐N/A

B. CUSTOMER INFORMATION

1. Billing Name: _____
2. Billing Address: _____
3. (City, State, Zip): _____
4. Contact Name: _____
5. Email: _____
6. Phone: _____
7. Fax: _____
8. P.O. Number: _____
9. Payment Method: ☐ Credit Account ☐ Cash ☐ Credit Card

C. MATERIAL INFORMATION

Waste Name:_____

☐ See attached, or describe process that generates waste:

1. Industrial Generator: ☐ Yes ☐ No
2. Municipal Generator: ☐ Yes ☐ No
3. Physical State at 70°: ☐ Solid ☐ Liquid ☐ Sludge
4. Strong Odor (If yes, describe): ☐ Yes ☐ No
   Describe: _____
5. Color: _____
6. pH: _____to_____ ☐N/A
7. Flash Point (N/A if solid) : _____ ☐N/A
8. Free Liquid Range Percentage: _____ to _____ ☐N/A
9. Viscosity (describe):_____
10. If solid, can the material potentially cause a dust nuisance?
    ☐ Yes ☐ No
11. Is the material classified as a US DOT Hazardous Material?
    ☐ Yes ☐ No
12. Is the material classified as an EPA Hazardous Waste under 40 CFR Part 261? ☐ Yes* ☐ No
13. Is the material a naturally occurring radioactive material (NORM) waste? ☐ Yes ☐ No
14. Does material contain PCB's in excess of 50 ppm? ☐ Yes* ☐ No
15. Does the material contain regulated medical waste? ☐ Yes* ☐ No

*** If yes, material cannot be accepted**

D. ADDITIONAL GENERATOR INFORMATION

Analytical attached: ☐ Yes ☐ No

Please identify information or attached documentation supporting that waste material is not a hazardous waste:

Other information attached (such as SDS)? ☐ Yes ☐ No

Describe if yes: :_____

E. SHIPPING INFORMATION

1. Shipping Frequency: ☐ One-Time Event ☐ Monthly ☐ Quarterly ☐ Annually
2. Material Packing Type: ☐ Bulk Liquid ☐ Bulk Solid ☐ Containerized Liquid ☐ Containerized Solid ☐ Sludge
3. Estimated Volume/Unit of Measurement: _____ ☐ Gallons ☐ Tons ☐ Cubic Yards ☐ Drums ☐ Totes ☐ Other _____

F. GENERATOR CERTIFICATION (PLEASE READ AND CERTIFY BY SIGNATURE)

"I certify, as the waste generator or authorized representative of the generator, that all information, including this completed profile and all attached documents, accurately represents and describes this waste. I further certify that the waste is not a hazardous waste as defined by the US EPA in 40 CFR Part 261 and does not contain PCBs regulated under TSCA 40 CFR Part 761"

Name (Print): _____ Date: _____

Title:_____

Company:_____

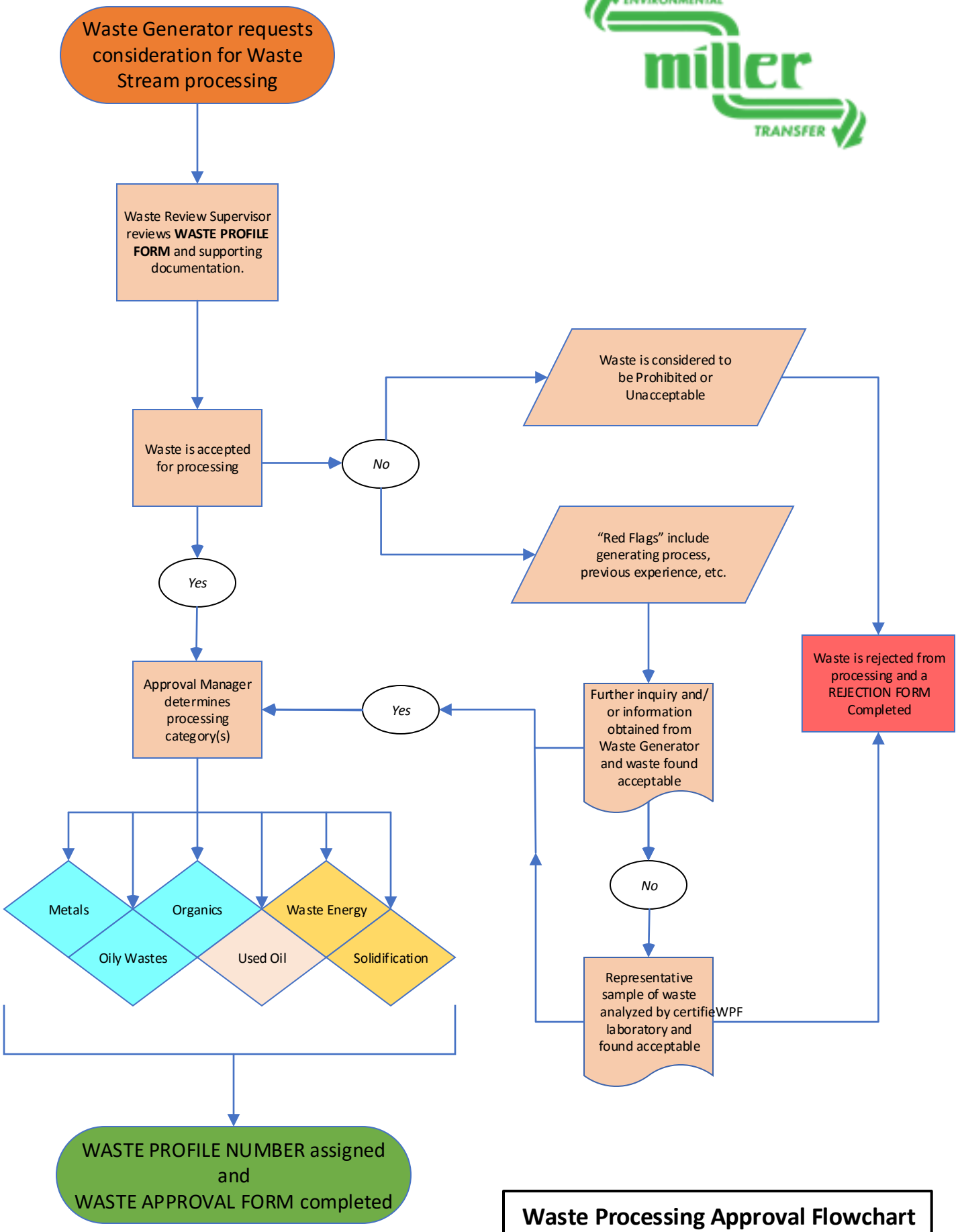
Signature:

MPF USE ONLY

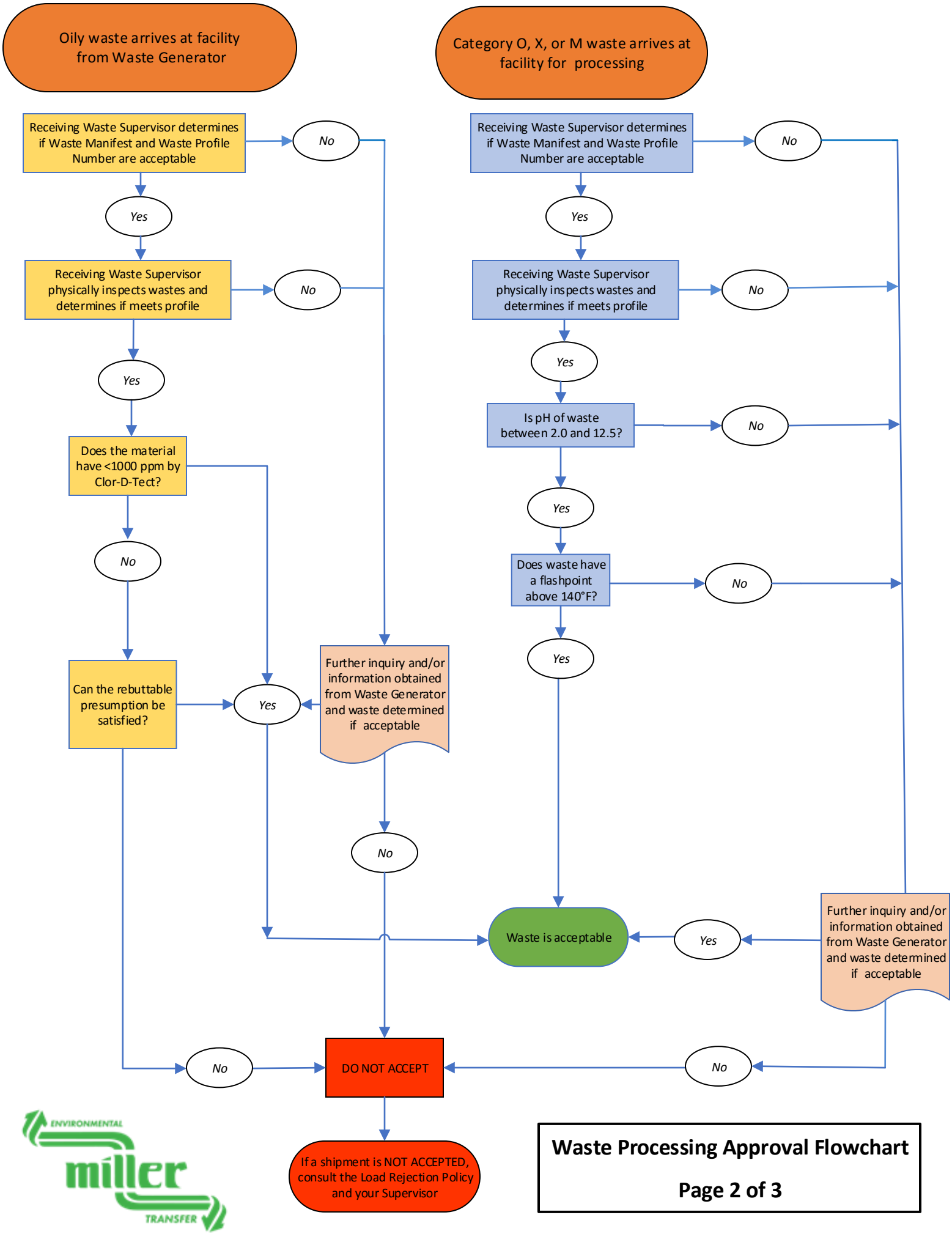
Profile Approved: ____ Profile Rejected: ____ Date: _____ Approved Waste Profile No. ____-____-____-____

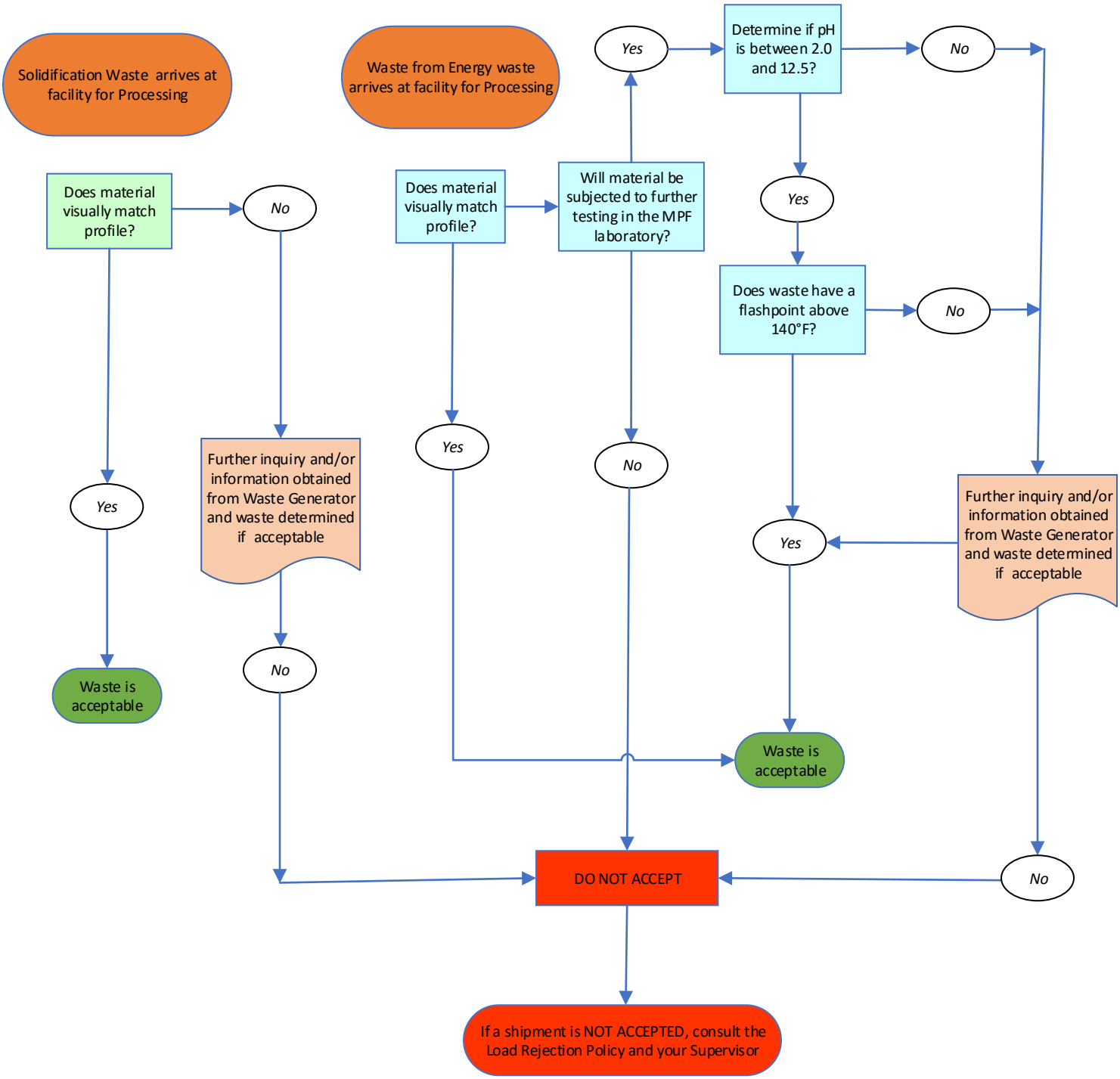
APPENDIX C

Waste Profile Approval Flowchart



Waste Processing Approval Flowchart


Oily waste arrives at facility from Waste Generator
Category O, X, or M waste arrives at facility for processing
Receiving Waste Supervisor determines if Waste Manifest and Waste Profile Number are acceptable
No
Yes
Receiving Waste Supervisor physically inspects wastes and determines if meets profile
No
Yes
Does the material have <1000 ppm by Clor-D-Tect?
No
Can the rebuttable presumption be satisfied?
Yes
Further inquiry and/or information obtained from Waste Generator and waste determined if acceptable
No
Receiving Waste Supervisor determines if Waste Manifest and Waste Profile Number are acceptable
No
Yes
Receiving Waste Supervisor physically inspects wastes and determines if meets profile
No
Yes
Is pH of waste between 2.0 and 12.5?
No
Yes
Does waste have a flashpoint above 140°F?
No
Yes
Waste is acceptable
Yes
Further inquiry and/or information obtained from Waste Generator and waste determined if acceptable
No
DO NOT ACCEPT
No
If a shipment is NOT ACCEPTED, consult the Load Rejection Policy and your Supervisor
ENVIRONMENTAL miller TRANSFER
Waste Processing Approval Flowchart
Page 2 of 3



ENVIRONMENTAL miller TRANSFER

Waste Processing Approval Flowchart

Page 3 of 3

ATTACHMENT P

<u>Miller Environmental Transfer</u>

MILLER ENVIRONMENTAL TRANSFER - COMPANY

A Legacy of Excellence

THE MILLER FAMILY

Miller Environmental Transfer is part of the Miller Truck Lines family owned and operated by James and Bonnie Miller, along with their sons; Jim, Don, and Bobby. Miller Truck Lines was incorporated in April of 1983 and has gained respect and loyalty throughout the industry. The MTL management team has assembled a staff of dedicated transportation specialists that understand supply chain logistics, just-in-time (JIT) and truckload dedicated freight. Miller Truck Lines transportation services include refrigerated, dry van, tanker, flatbed, and a regional wrecker service.

The Miller Environmental Transfer side of the business offers an all-in-one solution for corporations looking to implement zero waste– zero landfill initiatives. We have 30 plus years of training and regulatory compliance involving agencies such as OSHA, EPA, DEQ and DOT. Our entire staff is RCRA, OSHA, and Emergency Preparedness and Response trained. The Miller team has frontline management experience to provide the best environmental management solutions that can be implemented immediately, easily and economically. Also critical to our success and therefore our clients' success, we are an asset-based company, meaning we own all of the equipment necessary to carry out your environmental solutions strategy.

Dad – Jim Sons – Jim, Don, and Bobby

Todd Ray
President

Mike McDonald
VP of Business Development

Bob Kennedy
Manager of Environmental Services

Monica Neeley
Financial Analyst

Scott Wilson
Operations Manager

Willis Woodard
Driver Manager

Renesa Barbee

Stacey is our receptionist and is responsible for billing.

We offer a comprehensive list of services from cradle to grave that will help our clients manage their waste streams. From performing waste audits, lab packs, analyticals and waste profiles, to proper packaging for transportation and disposal, to emergency response services, we have the full spectrum of services covered.

MILLERENVTRANSFER.COM • (918) 764-9503

Industrial & Environmental Services

- Container Rental and Delivery
- Decontamination
- Field Service Onsite Labor
- Onsite Container Management
- Pump Outs
- Underground Storage Tanks
- Vacuum Services
- Tank Cleaning Services-All Sizes
- Metal Impacted Soil Remediation: Treatment and Disposal, Dig and Haul
- Power Washing Services-Warehouses, Floors, Pits, etc.
- Truck Wash Pit Sediment Removal and Cleaning
- Environmental Project Management
- Certified Industrial Hygienist
- Lab Pack/Loose Pack Management
- Field Service Lab Pack Chemist
- POTW and NPDES Wastewater Sampling
- In-House Waste Management Programs
- Hazardous/Non-Hazardous Waste Testing and Characterization
- Transportation / Disposal Programs for both non-hazardous & hazardous waste streams

Environmental Compliance & Emergency Response

MET has experienced emergencies from chemical spills, industrial fire, to industrial tornado response and restoration. Our services related to environmental compliance mandated by city, state, and federal agencies include:

Compliance Audits

- Waste characterization, disposal designation, record keeping and reporting requirements.
- OSHA; Safety, respiratory protection, lock out/tag out. Contractor's safety and all mandated training requirements.
- SWPPP(Storm Water Pollution Prevention Plan) Inspections and reports.
- SPCC (Spill Prevention Control Countermeasure Plan) Inspection and reports.

Emergency Response

- Highway Spill Response Oklahoma ODEQ 1024
- Wrecker Services
- Remediation and Disposal
- Debris Cleanup & Removal
- Emergency Vacuum Trucks
- Hazardous Material T & D
- Natural Disasters
- Oil, Fuel & Chemical Spills
- Pipeline Ruptures & Leaks

Asset-Based company.
Critical to our success and therefore our clients' success, we are an asset-based company, meaning we own all of the equipment necessary to carry out your environmental solutions strategy.

Let us know what you need.
The Miller team has frontline management experience to provide the best environmental management solutions that can be implemented immediately, easily and economically. We have continually added to our services offerings related to the trucking industry and environmental compliance. If you don't see something you need here, be sure and let us know.

Equipment: Logistics & Heavy

- Bulk Transportation
- Vacuum Tankers
- Dump Trailers
- Roll-off Boxes
- Sludge Boxes
- Vacuum Boxes
- Liquid Vacuum Trucks
- Truckload Transport
- Onsite Container Management
- Earth Moving Equipment
- Excavators
- Skid Steers
- Dozer
- Road Grading
- Front-End Loaders
- Bull Dozers

Recycling Services

- Waste Management and Recycling
- Hazardous and Non-Hazardous Waste Brokerage Services: Drum or Bulk
- Coolants, Cleaners, Oils, Universal Waste,
- Waste Characterization, Profiling, Documentation & Transportation for Final Disposal
- Corporate Sustainability Compliance Services

ENVIRONMENTAL miller TRANSFER