

DRAFT SOLID WASTE PERMIT

The Department of Environmental Quality hereby approves the following permit:

Permit Number: 3555067
Facility: Oklahoma Medical Waste Disposal, LLC
Facility Type: Commercial Medical Waste Processing Facility
County: Oklahoma County
Expiration Date: Upon Department of Environmental Quality Approval of Final Closure

Oklahoma Medical Waste Disposal, LLC, having complied with the requirements of the law, is hereby granted permission to construct and operate a Commercial Medical Waste Processing Facility located in Oklahoma County, Oklahoma. The proposed facility is located at 475 Neil Boulevard, Harrah, Oklahoma on an approximately 5 acre tract of land located in a part of Lot 3 Block 2 of Section 1, Township 11 North, Range 1 East of the I.M., Oklahoma County, Oklahoma.

The facility will accept, store and treat regulated medical waste to achieve microbial inactivity, as well as process medical marijuana waste, medical records, and non-hazardous pharmaceuticals for disposal. The facility will receive regulated medical waste from permitted third-party transporters that collect regulated medical waste from generators all over Oklahoma. The medical waste will be accepted from third-party transporters in sealed containers, inspected for acceptance, then treated for disposal at an approved landfill. The treated waste will be picked up by a third-party transporter and taken to a permitted municipal solid waste landfill for final disposal.

Accepted waste will be treated using a BioSAFE STI Series 2000 autoclave, an integrated system of mechanical destruction (shredding) and thermal treatment (sterilization). The autoclave utilizes a shredder to render the waste unrecognizable through size reduction (increased surface area) prior to applying steam and a 2,500 ppm solution of sodium hypochlorite for microbial inactivation. After a minimum residence time of one (1) hour at 205°F - 212°F, the treated waste is discharged from the auger into a top-loading, sealed compactor, which will be transported to an approved municipal landfill for final disposal by a third party. Total waste processed through the autoclave per day is estimated to be two (2) tons. Wastewater from the facility is discharged into the City of Harrah sewer system.

Microbial inactivation is verified by placing self-contained biological indicators (SCBI) into the shredded waste prior to sterilization. After an incubation period of 24 hours, the biological indicators are checked for growth. No-growth indicates that effective waste treatment has been achieved. If

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growth is detected, the operating parameters of the BioSAFE STI Series 2000 autoclave will be monitored and the entire system will halt operation and will not resume operation until all systems have been verified as operating within parameters. The waste that produced the microbial growth will be either retreated in the BioSAFE STI Series 2000 autoclave or repackaged and transferred to a facility permitted to accept the regulated medical waste for treatment.

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

The Permittee is allowed to accept, manage and treat regulated medical waste, as defined in OAC 252:515-1-2, at the Department of Environmental Quality approved commercial regulated medical waste processing facility in accordance with the conditions of this Permit. The facility may also accept medical marijuana waste defined in 63 O.S. § 428.1 including roots, stems, stalks, and leaves; medical records; and non-hazardous pharmaceuticals. Any storage, treatment, and/or disposal of all other wastes not authorized in this Permit are prohibited. Any receipt, storage or disposal of any weight or volume of hazardous waste is strictly prohibited.

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

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

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

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The permittee is authorized to operate in conformity with the application submitted to the Land Protection Division on February 3, 2020 with supplemental information submitted on February 12, 2020 and March 23, 2020. Commencing operations under this permit constitutes acceptance of, and consent to, the conditions contained herein.

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

Date: _____

Kelly Dixon
Director
Land Protection Division

Date: _____

Scott A. Thompson
Executive Director
Department of Environmental Quality

Date: _____

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

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A. PERMIT SUMMARY

- 1. Name of Site:** Oklahoma Medical Waste Disposal
- 2. Type of Site:** Commercial Regulated Medical Waste Processing Facility
- 3. Name of Applicant, Applicant Representative and Applicant Address:**
Oklahoma Medical Waste Disposal, LLC
Joey Wignarajah
Lonnie McPheter
PO Box 1833
Tulsa, Oklahoma 74101
- 4. Map and Street Location of Site**
475 Neil Boulevard
Harrah, Oklahoma 73045
Oklahoma County, Oklahoma
- 5. Type of Waste(s) to be Accepted:** Regulated Medical Waste as defined in OAC 252:515-1-2 and other non-hazardous industrial wastes including:
 - a.** Outdated, off- specification, or mislabeled over-the-counter medicines that are non-hazardous;
 - b.** Non-Hazardous Pharmaceutical waste not included above;
 - c.** Medical marijuana waste defined in 63 O.S. § 428.1, including roots, stems, stalks, fan leaves, and seeds;
 - d.** Medical records or other NHIW that requires the destruction of any personally identifiable information.
- 6. Source(s) of Waste:** Regulated Medical Wastes and other wastes identified within the permit from third-3rd party transporters
- 7. Estimated Volume of Regulated Medical Waste to be Received:** 4,000 pounds per day or 2 tons
- 8. Population or Population Equivalent to be Served:** 2,266,590 persons
- 9. Number of Acres in Permitted Boundary:** Approximately 5 acres including the 10,000 square feet processing Building and 50 foot buffer zone
- 10. Legal Right to Property:** Oklahoma Medical Waste Disposal, LLC owns the property on which the proposed facility will be located: 475 Neil Boulevard, Harrah, Oklahoma. The

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property consists of an approximately 5 acre tract of land located in a part of Lot 3 Block 2 of Section 1, Township 11 North, Range 1 East of the I.M., Oklahoma County, Oklahoma.

- 11. Location Restrictions:** The facility has met the following: 100-year flood plain, Scenic Rivers, Recreation/preservation areas, endangered or threatened species, public water supply, and wetlands.
- 12. Estimated Active Life of Site Prior to Final Closure:** This Permit shall continue in effect until DEQ approves the final closure. The active life of site may also be influenced or determined by other permits issued to Oklahoma Medical Waste Disposal.

B. GENERAL CONDITIONS

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

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Oklahoma Medical Waste Disposal shall furnish to DEQ within a time specified, any information that DEQ may request to determine:

- a. Whether cause exists for modifying, amending, suspending, or revoking this permit;
 - b. Compliance with this permit; and
 - c. Whether a new or modified permit should be issued.
- 7. Temporary Easement:** OAC 252:515-3-34(c) requires Oklahoma Medical Waste Disposal to execute a temporary easement allowing 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. The temporary easement in the Application will be completed and recorded at the county land records office upon approval of the permit. Oklahoma Medical Waste Disposal shall submit a stamped copy of the recorded easement to DEQ within 60 days of execution of this permit. If a modification of the permit boundary of the facility is required by Oklahoma Medical Waste Disposal, the temporary easement must be updated and submitted with an application for a permit modification.
- 8. Air Criteria:** Oklahoma Medical Waste Disposal shall ensure that it does not violate any applicable requirements of the Oklahoma Clean Air Act, as amended, or rules promulgated thereunder. Under no circumstances will Oklahoma Medical Waste Disposal personnel burn solid waste or any other waste at the facility. Oklahoma Medical Waste Disposal's equipment emits neither dust nor other emissions that would cause the facility to exceed air quality standards.
- 9. Inspection and Entry:** Oklahoma Medical Waste Disposal shall allow authorized representatives of DEQ, upon the presentation of credentials as may be required by law, to:
- a. Enter upon the permitted site or where records required by this permit are kept;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any site construction, transportation, waste storage, waste processing and waste management operations; and
 - d. Sample or monitor, for the purpose of assuring compliance with this permit, any substances or parameters at any location.
- 10. Laboratory Analyses:** Samples and measurements taken for the purpose of monitoring microbial activity shall be representative of the monitored waste. Oklahoma Medical Waste Disposal will use microbial inactivity verification methods to ensure treatment standards are met. The methods include placing biological indicators in perforated PVC containers into the shredded waste prior to the one hour of sterilization. The PVC container is removed; then biological indicators will be incubated and monitored for microbial growth. Oklahoma

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Medical Waste Disposal will apply to DEQ for a permit modification if the laboratory method of verifying microbial inactivity requires updating. Microbial inactivation, as defined in OAC 252:515-23-2, is required. All waste loads that fail the microbial inactivity verification method will be re-sterilized.

- 11. Records:** Oklahoma Medical Waste Disposal shall keep on file at its commercial regulated medical waste processing facility this permit, the permit application, all modifications to this permit, all modification applications for this permit and copies of all:
 - a. Other permits issued by city, county, state and federal agencies;
 - b. As-built facility construction plans, drawings and specifications;
 - c. Repair and maintenance records;
 - d. All calibration and monitoring data;
 - e. A daily log to record operational information, including the quantity of regulated medical waste received and the quantity of regulated medical waste shipped off-site for disposal;
 - f. A record of all laboratory analyses and results performed to verify microbial inactivity;
 - g. All training records including types of training required, all training received, duration of training, and continuing training;
 - h. Reports filed with DEQ; and
 - i. Closure records

- 12. Reporting Requirements:** Oklahoma Medical Waste Disposal shall give notice to DEQ as soon as possible of any planned physical alterations or additions to the permitted facility and of any planned changes in the permit or activity that may result in noncompliance with permit requirements. In the event that Oklahoma Medical Waste Disposal becomes aware that it failed to submit any relevant facts or submitted incorrect information in the permit application or in any report to DEQ, it shall promptly submit correct facts or information. Failure to make a prompt submission is grounds for an enforcement action and for the modification or revocation of this permit.
 - a. Provide prior written notice to DEQ of the intent to **suspend development or operations**;
 - b. Renew such notice annually;
 - c. If site development or operations remain suspended for more than one year, without DEQ approval to continue suspension, the facility is deemed to be in the process of final closure and must perform closure activities in accordance with the approved closure plans; and
 - d. Post full financial assurance in accordance with OAC 252:515-27 and the approved cost estimates.

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

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

- 13. Resuming Operations:** If Oklahoma Medical Waste Disposal ceases operations, then prior to resuming such operations, the permit must be modified if, in the opinion of DEQ, the permit does not comply with all current laws and regulations.
- 14. Consent to Conditions:** Commencing work under this permit will constitute consent to all permit conditions.

C. CONSTRUCTION CONDITIONS

- 15. Construction Authorization:** Oklahoma Medical Waste Disposal shall be constructed in accordance with the data, design criteria, plans, and specifications in the permit application, the Act and Rules and the specific conditions set forth in this permit for individual components of construction.
- 16. Construction of Surface Water and Runoff Controls:** Oklahoma Medical Waste Disposal shall construct and maintain the site as specified in the permit application. Oklahoma Medical Waste Disposal will not store or manage regulated medical waste (or other wastes) outside of the enclosed processing Building to minimize contact of surface water drainage and runoff from the waste.
- 17. Certification of Construction:** Oklahoma Medical Waste Disposal shall submit to DEQ, by certified mail or hand delivery, a letter, stamped by a Professional Engineer, certifying that the facility is constructed in accordance with the approved plans and specifications.
- 18. Review of Certification of Construction:** DEQ shall review all completion reports and certifications and may conduct an on-site inspection to verify that the construction of the facility complies with all regulatory and permit requirements.
- 19. Operation of Regulated Medical Waste Processing Facility:** Oklahoma Medical Waste Disposal shall not accept waste or commence operation of the commercial regulated medical

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waste processing facility until DEQ provides written confirmation of an acceptance of the certificate of construction.

D. OPERATING CONDITIONS

Oklahoma Medical Waste Disposal shall be authorized to operate the BioSAFE STI Series 2000 autoclave continuously (24 hours per day, every day of the year).

20. Prohibited Wastes: OAC 252:515-19-31 and OAC 252:515-23-31 prohibit all wastes except regulated medical waste to be accepted at Oklahoma Medical Waste Disposal. Oklahoma Medical Waste Disposal shall follow its waste exclusion plan in Tab 3 of the Application. Oklahoma Medical Waste Disposal has requested a variance to accept specific types of NHIW (such as medical records, non-hazardous pharmaceuticals), and Medical Marijuana Waste as stated in the Permit Application.

21. Public Access Control (OAC 252:515-19-32): Oklahoma Medical Waste Disposal is surrounded by a six-foot high fence with a locking gate to prohibit unauthorized access to and uncontrolled dumping at the facility. The processing building and office will be locked during non-operating hours.

22. Measuring Waste (OAC 252:515-19-33): All wastes received at Oklahoma Medical Waste Disposal shall be measured by weight or by volume, recorded in the operating record, and made available to the DEQ upon request. If scales are installed, they shall be tested and certified annually in accordance with the requirements of the Oklahoma Department of Agriculture, Food, and Forestry.

23. Disease Vector Control (OAC 252:515-19-37): Oklahoma Medical Waste Disposal shall control disease vectors by cleaning the interior of the processing building on a daily basis. If necessary, Oklahoma Medical Waste Disposal will employ a commercial pest control vendor utilizing techniques appropriate for the protection of human health and the environment to control disease vectors.

24. Placement of Waste (OAC 252:515-19-38): Oklahoma Medical Waste Disposal shall not allow discharge of any water from the facility that has contacted regulated medical waste. Oklahoma Medical Waste Disposal shall maintain a fifty (50) feet buffer zone between all waste processing and/or handling areas and adjacent property/permit boundary.

25. Salvage and Recycling (OAC 252:515-19-39): Oklahoma Medical Waste Disposal is prohibited from salvage and recycling any portion of the regulated medical waste.

26. Operating Records and Reporting (OAC 252:515-19-40): Oklahoma Medical Waste

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Disposal shall maintain the approved operating plan, and all operating records concerning the planning, construction, operation and closing of the facility. Oklahoma Medical Waste Disposal shall maintain all records required by OAC 252:515 until the post-closure monitoring period, if necessary, is terminated. Operating Records shall include:

- a.** Repair and maintenance records including:
 - i.** A log of preventative maintenance including the schedule for preventative maintenance on the BioSAFE STI Series 2000 autoclave. This includes the attached radiation detector;
 - ii.** A log of events when the BioSAFE STI Series 2000 autoclave operation does not meet microbial inactivity standards indicating the cause and all maintenance required; and
 - iii.** A log of events when the BioSAFE STI Series 2000 autoclave is inoperative, indicating the cause and all maintenance required;
- b.** The maximum amount of waste in storage, refrigerated at a maximum of 45°F, when the BioSAFE STI Series 2000 autoclave is inoperative;
- c.** The amount of waste not processed with 96 hours and transported to an alternate permitted treatment facility when the BioSAFE STI Series 2000 autoclave is inoperative;
- d.** The duration of the diversion, if regulated medical waste is diverted to an alternate permitted treatment facility, and the approximate volume diverted;
- e.** Any waste rejected from the permitted final disposal facility;
- f.** All calibration and monitoring data;
- g.** A daily log to record operational information, including the quantity of regulated medical waste received, the quantity of regulated medical waste treated and the quantity of regulated medical waste shipped off-site for disposal;
- h.** A record of all laboratory analyses and results performed to verify microbial inactivity;
- i.** A copy of the operating instructions/procedures shall be permanently and prominently mounted near the BioSAFE STI Series 2000 autoclave; and
- j.** A copy of the Contingency Plan shall be permanently and prominently mounted near the BioSAFE STI Series 2000 autoclave;

The following records shall be retained on-site for a period of at least two years following dates of recording, and shall be made available to regulatory personnel upon request:

- k.** BioSAFE STI Series 2000 autoclave sterilizer water discharge temperatures (continuous when operating);
- l.** Waste weights as charged to the BioSAFE STI Series 2000 autoclave (daily and 12-month

rolling total);

m. Hours of operation for the BioSAFE STI Series 2000 autoclave.

- 27. Applicability and Exclusions (OAC 252:515-23-1):** Oklahoma Medical Waste Disposal is a permitted commercial regulated medical waste processing facility involved in the handling, storage, and treatment of regulated medical waste and may be subject to requirements of the federal Occupational Safety and Health Administration (29 CFR 1910.1030), or other federal or state agencies. The management of Animal and Plant Health Inspection Service (APHIS) waste is regulated by the USDA and Customs and Border Protection (CBP). Regulated medical waste appropriate for processing using the BioSAFE STI Series 2000 autoclave shall be treated onsite. Regulated medical waste requiring incineration shall be transferred to an appropriately permitted facility for processing.
- 28. Treatment (OAC 252:515-23-4):** Oklahoma Medical Waste Disposal shall treat regulated medical waste by steam sterilization using the BioSAFE STI Series 2000 autoclave. The steam sterilization is conducted at sufficient temperature and pressure for a sufficient time to consistently achieve microbial inactivation. Untreated sharps are treated by steam sterilization.
- 29. Compacting Prohibited (OAC 252:515-23-5):** Oklahoma Medical Waste Disposal does not compact un-treated regulated medical waste. The treated waste (non-regulated medical waste) will be compacted prior to transportation to a permitted final disposal facility.
- 30. General (OAC 252:515-23-31):** Decontamination facilities shall be maintained at Oklahoma Medical Waste Disposal for use in the event that regulated medical waste contacts personnel. Operators shall use proper Personal Protective Equipment at all times as described in the Application.
- 31. Radiation (OAC 252:515-23-32):** Oklahoma Medical Waste Disposal shall maintain the BioSAFE STI Series 2000 autoclave's fixed radiation detector to scan all waste accepted for treatment. Hand-held radiation detectors, capable of detecting radiation sources as small as 0.25 millicuries of Cs137, will be used to scan incoming waste containers upon arrival. The containers are scanned individually and unacceptable containers are immediately returned to the generator. The hand-held radiation detector will be used to manually screen waste when the fixed radiation detectors detect radioactive wastes.
- 32. Contingency Plan (OAC 252:515-23-33):** Oklahoma Medical Waste Disposal shall maintain the approved Contingency Plan.
- 33. Emergency Response (OAC 252:515-23-34):** Oklahoma Medical Waste Disposal shall maintain the approved emergency response agreement with the City of Harrah.

- 34. Storage (OAC 252:515-23-35):** Oklahoma Medical Waste Disposal shall process all wastes or place the wastes into refrigerated storage, at 45°F, within 24 hours of delivery. If processing has not occurred within 96 hours, waste shall be transported to an alternate permitted site.
- 35. Trained Personnel On-site (OAC 252:515-29-3):** Trained personnel shall be on-site during all hours the facility is open to accept regulated medical waste.
- 36. Containers:** After the waste is dumped into the system, the system activates a high temperature spray rinse cycle to clean residual waste left in the container.

E. PERSONNEL TRAINING

Oklahoma Medical Waste Disposal shall conduct personnel training. Personnel shall receive training initially, when job functions change and annually. Oklahoma Medical Waste Disposal shall maintain training documents and records, for a period of at least three years after termination of employment for all personnel.

Employee training shall be performed as required by the job classifications included in the Training Plan in Tab 6. Oklahoma Medical Waste Disposal may provide training in the following areas:

1. Administrative procedures;
2. Waste exclusion training as required by OAC 252:515-29-3(c);
3. Bloodborne pathogens as required by 29 C.F.R. 1910.1030 and ;
4. Proper use and operation of the BioSAFE STI Series 2000 autoclave;
5. Proper Quality Assurance/Quality Control procedures for performing the STI Chem-Clav process to verify microbial inactivity including all sample processing and biological culture procedures. If Oklahoma Medical Waste Disposal determines another test method will be used for verification of microbial inactivity, a Permit Modification application shall be submitted to DEQ including validation data for the proposed test method;
6. Proper use and operation of the hand-held radiation detector in accordance with the manufacturer's specifications;
7. Safety training and safety operations;
8. Accident prevention;

9. The Contingency Plan; and
10. All other training listed in the Application, Training Plan or deemed necessary by Oklahoma Medical Waste Disposal.

Oklahoma Medical Waste Disposal shall instruct all non-employees allowed into the facility in the facility evacuation routes and procedures. All non-employees must be informed of any information required by the permit or the Application.

F. **INCIDENT REPORTING**

- 1 **Twenty-Four Hour Reporting:** Oklahoma Medical Waste Disposal shall report to DEQ any noncompliance which may endanger health or the environment. Any such information shall be **reported orally within 24 hours from the time Oklahoma Medical Waste Disposal becomes aware of the circumstances. The report shall include the following:**
 - a. Information concerning release of any waste that may cause an endangerment to public drinking water supplies;
 - b. Any information of a release or discharge of regulated medical waste, or of a fire or explosion at the facility which could threaten the environment or human health outside the facility.
 - c. The description of the occurrence and its cause shall include:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident;
 - iv. Name, quantity and generator of materials involved;
 - v. The extent of injuries, if any;
 - vi. An assessment of actual or potential hazards to the environment and human health outside the facility;
 - vii. Estimated quantity and disposition of recovered material that resulted from the incident; and
 - viii. If the occurrence is determined to be a result of faulty equipment, then similar equipment throughout the facility will be replaced to prevent the same occurrence.
- 2 **Written Incident Report:** A written incident report shall also be submitted to DEQ within five (5) days of the time Oklahoma Medical Waste Disposal becomes aware of the incident. The written report shall contain a description of the situation and the cause; the period(s) of the situation (including exact dates and times); whether the situation has been corrected; and,

if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the situations. Oklahoma Medical Waste Disposal may request DEQ to extend the five-day written notice requirement in favor of a written report within 15 days.

G. CLOSURE CONDITIONS

Oklahoma Medical Waste Disposal shall close the facility in accordance with the approved closure plan and in a manner that minimizes or eliminates the need for further maintenance and controls. The facility will either clean close the facility or enter post-closure status to minimize the escape of constituents into the environment.

1. Closure Cost Estimates: Oklahoma Medical Waste Disposal shall:

- a. Submit closure cost estimates in accordance with OAC 252:515 Subchapter 27 to DEQ for approval;
- b. Submit the estimate(s) in a detailed written estimate(s), in current dollars, of the cost of hiring a third party to close the commercial regulated medical waste processing facility in accordance with the permit, the approved closure plan and OAC 252:515 at any time during its active life;
- c. Calculate the cost estimate to be equal to the cost of closing the facility when the extent and manner of its operation would make closure the most expensive, as indicated by the approved closure plan;
- d. Increase closure cost estimates and the amount of financial assurance provided if, at any time during the active life, changes to the closure plan or facility conditions increase the maximum cost of closure; and
- e. Oklahoma Medical Waste Disposal must adjust the closure cost estimates annually and submit the revised cost estimate to DEQ for approval no later than April 9th of each year unless instructed otherwise by DEQ. If there are no significant changes to the closure plan, the closure cost estimate may be adjusted by use of an inflation factor derived from the most recent “Implicit Price Deflator for Gross National Product” or the “Implicit Price Deflator for Gross Domestic Product” published by the U.S. Department of Commerce. The inflation factors are posted on the DEQ website after February 1st of each year.

2. Closure Plan: OAC 252:515-25-2 requires Oklahoma Medical Waste Disposal to maintain an approved closure plan for the facility. The Closure Plan contained in the Application and the regulations contained in OAC 252:515-25 will be followed for clean closure of the commercial regulated medical waste processing facility.

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Oklahoma Medical Waste Disposal shall follow the timelines below for notifications and certifications of closure to be submitted to DEQ:

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

If Oklahoma Medical Waste Disposal proposes to alter the closure plan as set forth in the relevant sections of the Application, Oklahoma Medical Waste Disposal shall notify DEQ prior to altering the closure plan and shall apply for a permit modification.

If DEQ finds that Oklahoma Medical Waste Disposal cannot clean - close the facility, DEQ shall require Oklahoma Medical Waste Disposal to enter into post-closure care. DEQ must approve the final closure of Oklahoma Medical Waste Disposal before the post-closure period can begin.

H. FINANCIAL ASSURANCE

1. Financial assurance will be for the performance cost of closure and for post-closure, and/or corrective action if required by DEQ. Oklahoma Medical Waste Disposal shall provide closure cost updates to DEQ for approval:
 - a. If changes occur during the construction of the facility that increase the estimated closure costs than those approved in the Application;
 - b. If circumstances require the facility to establish post-closure, and/or corrective action costs;
 - c. Upon completion of the construction of the facility prior to acceptance of wastes;
 - d. Annually, no later than April 9th of each year; and

- e. If any changes occur during the operation of the facility that require post-closure and corrective action costs be submitted to DEQ
- 2. For the required annual update to the closure cost estimates, Oklahoma Medical Waste Disposal may use the methods outlined in by OAC 252:515-27-34(a).

Oklahoma Medical Waste Disposal shall establish financial assurance prior to the initial receipt of waste in accordance with OAC 252:515-27-2(a). Oklahoma Medical Waste Disposal shall maintain financial assurance continuously until released from the requirement to maintain such assurance by demonstrating compliance with items (1) and (2) of OAC 252:515-27-3.

I. INCORPORATION BY REFERENCE

The following document is hereby incorporated by reference and constitutes the complete application: Revised application submitted by Oklahoma Medical Waste Disposal, LLC, originally submitted to the Land Protection Division on February 3, 2020 with supplemental information submitted on February 12, 2020, and March 23, 2020.