

May 22, 2025

Mr. Guy R. Campbell  
Engineering Manager – North Texas/Oklahoma  
Waste Management of Oklahoma, Inc.  
5012 Martin Luther King Jr. Freeway  
Fort Worth, TX 76119

Subject: Tier III Draft Permit Modification  
Muskogee Recycling & Disposal Facility, Muskogee County  
Solid Waste Permit No. 3551020

Dear Mr. Campbell:

The Oklahoma Department of Environmental Quality (“DEQ”) received the Tier III Permit Modification Application (“Application”), dated October 13, 2023. The Application was submitted by Weaver Consultants Group, Inc. on behalf of Waste Management of Oklahoma, Inc. for the Muskogee Recycling & Disposal Facility (“Muskogee RDF”). The Application requests to expand the permit boundary and disposal boundary for the municipal solid waste landfill. Additionally, DEQ received supplemental information on November 16 and 26, 2023.

In accordance with Oklahoma Administrative Code (“OAC”) 252:4-7-60(2)(B), the Application was processed as a Tier III Permit Modification to expand the permitted boundary and waste disposal area.

In accordance with 27A O.S. § 2-14-301(A) and (B), the application notice of filing was published in *The Muskogee Phoenix*, Muskogee, Oklahoma, on December 12, 2023. In accordance with OAC 252:4-7-13(d), DEQ received the affidavit of publication on December 20, 2023, within 20 days after the date of publication. No request for a process meeting was received by DEQ or the facility. On January 2, 2024, DEQ issued an administrative Notice of Deficiency (“NOD”) for the Application. On February 5, 2024, DEQ received the Response to NOD addressing the deficiencies identified. In accordance with 27A O.S. § 2-14-301(A) and (B), the application notice of filing was published in *The Muskogee Phoenix*, Muskogee, Oklahoma, on December 12, 2023. In accordance with OAC 252:4-7-13(d), DEQ received the affidavit of publication on December 20, 2023, within 20 days after the date of publication. No request for a process meeting was received by DEQ or the facility.

On February 13, 2024, DEQ determined the application to be administratively complete. In accordance with OAC 252:4-7-8, DEQ conducted a technical review of the application which resulted in technical NODs issued on May 7 and September 17, 2024. Muskogee RDF provided additional information on July 5, 2024, December 13, 2024, February 24, 2025, and April 22, 2025.

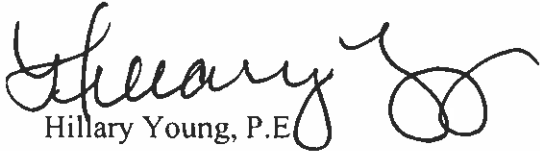
DEQ now finds the Muskogee RDF Tier III Permit Modification Application to be technically complete and has prepared the enclosed Draft Permit Modification. Title 27A O.S. § 2-14-302 requires Muskogee RDF to publish notice of draft permit modification in one newspaper local to the site and allow 30 days for public comment and for a public meeting request. Also enclosed are

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instructions for the preparation, publication and certification of the legal notice as required with all Tier III applications.

Should you have any questions, please contact Ms. Kendra Hess of my staff at (405) 702-7114 or Kendra.Hess@deq.ok.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Hillary Young", followed by a stylized flourish or "X" mark.

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

HY/kh

Enclosure: Solid Waste Draft Permit Modification  
Applicant Instructions: Preparing, Publishing and Certifying Legal Notice

cc: Mr. Pete Schultze, Waste Management of Oklahoma, Inc.  
Mr. Jonathan Queen, P.E., Weaver Consultants Group, Inc.



## DRAFT SOLID WASTE PERMIT MODIFICATION

The Oklahoma Department of Environmental Quality ("DEQ") hereby approves the following modification:

**Permit Number:** 3551020  
**Permittee:** Waste Management of Oklahoma, Inc.  
**Facility:** Muskogee Community Recycling & Disposal Facility  
**Facility Type:** Municipal Solid Waste Landfill  
**County:** Muskogee County

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### Modification:

Modification of the existing permit to authorize a lateral expansion of the permit boundary and waste disposal area. The permit boundary will expand from 80.5 acres to 316.8 acres. The waste disposal area will increase from 60.9 acres to 126.4 acres. The design capacity will increase by 6,707,000 cubic yards, with a new total design capacity of 13,307,889 cubic yards.

### Incorporated by Reference:

1. The Tier III Permit Modification Application ("Application"), dated October 13, 2023, submitted by Weaver Consultants Group, LLC and stamped by Jonathan V. Queen, P.E. on October 13, 2023, inclusive of the following appendices:
  - A. Waste Management, Inc. Annual and Quarterly Reports
  - B. Permit, Proof of Publication, Legal Description, and Volume Calculations
  - C. Temporary Easement for Access
  - D. Location Restrictions Correspondence
  - E. Subsurface Investigation and Groundwater Study
  - F. Groundwater Sampling and Analysis Plan
  - G. Landfill Gas Management Plan
  - H. Surface Water Management Plan
  - I. USACE Information
  - J. Alternative Final Cover System Design
  - K. Quality Assurance/Quality Control Plan for Liner and Leachate Collection System Installation and Testing
  - L. Leachate Collection System Design
  - M. Geotechnical Assessment
  - N. Alternative Liner System Design
  - O. Waste Exclusion Plan
  - P. Closure and Postclosure (sic) Plan
  - Q. Closure and Postclosure Cost Estimates
  - R. Economic Life Estimate
  - S. Recordkeeping and Reporting Example Forms
  - T. Copy of Surety Bond

# **DRAFT SOLID WASTE PERMIT MODIFICATION (CONTINUED)**

2. Supplemental information – Page 38, submitted by Weaver Consultants Group, LLC via email on November 16, 2023.
3. Supplemental information – Temporary Easement for Access, dated November 1, 2023, submitted by Weaver Consultants Group, LLC via email on November 26, 2023.
4. Notice of Application Filed – Certified Mail Receipts, submitted by Weaver Consultants Group, LLC, with cover letter dated February 5, 2024.
5. Response to Comments, dated July 5, 2024, submitted by Weaver Consultants Group, LLC, inclusive of revisions to the Application narrative, Volume 1, and Appendices B, E, K, O, and P.
6. 2<sup>nd</sup> Response to Comments, dated January 10, 2025, submitted by Weaver Consultants Group, LLC, inclusive of revisions to the Application narrative, Volume 1, and Appendix E.
7. 2<sup>nd</sup> Response to Comments – Revised Supplemental Information, dated April 22, 2025, submitted by Weaver Consultants Group, LLC, inclusive of revisions to the Application narrative, and Appendices K and L.

## **Conditions:**

1. The conceptual layout and excavation contours of Cells 14 through 17 are approved. However, approval is contingent upon the completion of an additional 12-month groundwater study prior to construction to verify that five-foot separation from groundwater exists as designed. The results of the additional 12-month groundwater study must be submitted to DEQ for review and approval prior to construction.
2. In lieu of conducting an additional groundwater study, excavation contours must be revised to provide five-foot separation from the existing highest measured groundwater elevation data as described by Section 7.2 of Appendix L. Detailed construction plans, including verification of compliance with Oklahoma Administrative Code (“OAC”) 252:515-11-3 (Separation from groundwater), must be submitted to DEQ for review and approval prior to construction.
3. DEQ shall be notified at least two weeks before liner construction begins in accordance with OAC 252:515-11-5. The notification shall define the area to be constructed, include the names of the contractors and QA and QC officials, and include the results of the pre-construction tests identified in OAC 252:515-11-32(a).
4. Waste Management of Oklahoma, Inc. shall operate in compliance with the Oklahoma Clean Air Act, rules of the Air Quality Division of the DEQ, and any requirements of an approved State Implementation Plan.
5. An updated leachate management design, including verification of compliance with OAC

## **DRAFT SOLID WASTE PERMIT MODIFICATION (CONTINUED)**

252:515-11-3 (Separation from groundwater) if needed, and operation plan shall be submitted to DEQ for review and approval prior to construction.

6. When leachate is to be recirculated, it shall only be recirculated over composite-lined areas.
7. Construction shall not commence until the United States Army Core of Engineers Section 404 Individual Permit has been issued and DEQ notified that the siting criteria of OAC 252:515-5-32(d) has been met.
8. Construction shall not commence until the Stormwater Pollution Prevention Plan has been updated and a Sector L General Permit for Stormwater Discharges obtained.
9. DEQ shall be notified at least two weeks prior to the construction of any gas collection and control systems or leachate management systems.
10. Should the soil borrow area not be utilized for borrow or stormwater management activities as proposed, the soil borrow area shall be reshaped within 180 days in accordance with OAC 252:515-19-55.
11. This permit modification is based on data, design criteria, plans, and specifications presented in the documents incorporated by reference. Any inaccuracies found in the Application or supporting documentation may provide cause for potential enforcement action against Waste Management of Oklahoma, Inc. and the amendment, modification, or revocation of this permit modification.
12. This permit modification 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 Waste Management of Oklahoma, Inc. 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.
13. Issuance of this permit modification 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.
14. The provisions of this permit modification are severable. If any part or provision of this permit modification or the application of any provision of this permit modification 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 shall not affect the remainder of this permit modification.
15. Waste Management of Oklahoma, Inc. shall comply with the Oklahoma Solid Waste

# **DRAFT SOLID WASTE PERMIT MODIFICATION (CONTINUED)**

Management Act, the Environmental Quality Code, and Rules promulgated thereunder, including provisions of the Oklahoma Administrative Code, and all conditions of the Solid Waste Permit. Any permit noncompliance constitutes a violation of the Solid Waste Permit and is grounds for enforcement action, including: permit modification, administrative civil penalties, suspension or revocation, and denial of a pending permit modification application.

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

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

Date: \_\_\_\_\_

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Kelly Dixon  
Division Director  
Land Protection Division

Date: \_\_\_\_\_

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Robert Singletary  
Executive Director  
Oklahoma Department of Environmental Quality

Date: \_\_\_\_\_