



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

September 12, 2019

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Kristopher McClanahan, General Manager
APAC-Central, Inc.
P.O. Box 580670
Tulsa, OK 74158

Re: Tier III Permit Modification – Lateral Expansion
East Quarry Construction and Demolition Landfill
Tulsa County
Solid Waste Permit No. 3572049

Dear Mr. McClanahan:

The Oklahoma Department of Environmental Quality (DEQ) received the Tier III permit modification application for the lateral expansion of the East Quarry Construction and Demolition Landfill (East Quarry) permit boundary on July 6, 2018. Pursuant to 27A O.S. §2-14-301(A), the application Notice of Filing was published in the *Tulsa World* in Tulsa, Oklahoma, on July 10, 2018.

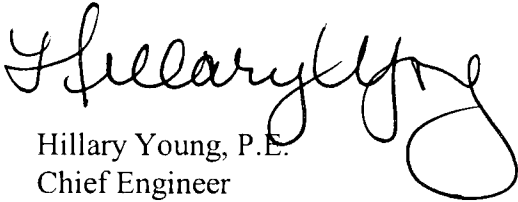
DEQ determined the application to be administratively complete on September 27, 2018 and technically complete on May 20, 2019. The next step in the permitting process was the preparation of a “Draft Permit Modification” and the opportunity for public comments and a public meeting request. 27A O.S. § 2-14-302 required APAC-Central, Inc. 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. The “Notice of Draft Permit Modification” was published in the *Tulsa World* in Tulsa, Oklahoma, on May 31, 2019. No comments or requests for a public meeting were received. The next step in the permitting process was the preparation of a “Proposed Permit Modification” and the opportunity for a person directly affected by the facility to request an administrative hearing. The “Notice of Proposed Permit Modification” was published in the *Tulsa World* in Tulsa, Oklahoma, on July 30, 2019, for a 20 day period for compliance with OAC 252:4. No requests for an administrative hearing were received.

Please be advised that DEQ considers East Quarry’s permit modification application to be in compliance with the rules and regulations of DEQ and is issuing the enclosed solid waste permit modification for a lateral expansion at a permitted solid waste disposal facility.



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Should you have any questions, please contact Ms. Cindy Hailes of my staff at (405) 702-5114.

A handwritten signature in black ink, appearing to read "Hillary Young". The signature is fluid and cursive, with a large loop at the end.

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

Enclosure

cc: Chad Keller, Environmental Complaints & Local Services – Tulsa DEQ Office
Chris Johnson, Landfill Manager, APAC-East Quarry C & D Landfill
Turgay M. Ertugrul, P.E., President E&E Engineering and Associates, LLC



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SOLID WASTE PERMIT MODIFICATION

PERMIT NUMBER: 3572049
PERMITTEE: East Quarry Construction and Demolition Landfill
FACILITY: Construction and Demolition Waste Landfill
LOCATION: Tulsa County, Oklahoma
EXPIRATION DATE: Upon Department of Environmental Quality Approval of Final Closure

Modification: The East Quarry Construction and Demolition Landfill, having complied with the requirements of the law, is hereby granted permission to modify Solid Waste Permit Number 3572049 for a construction and demolition waste landfill located in Tulsa County, Oklahoma. The modification to the permit is for the lateral expansion of the permitted landfill boundary. The lateral expansion modification incorporates approximately 50.46 acres to the south of the current permit boundary and 5.30 acres to the northwest of the current permit boundary for a total lateral expansion of 55.76 acres, resulting in a new permitted area of 151.71 acres. The construction and demolition waste disposal area will be increased from the current 61.5 acres to 117.26 acres. The East Quarry Construction and Demolition Landfill accepts construction and demolition waste meeting the Oklahoma Administrative Code (OAC) 252:515-1-2 definition and in accordance with the approved Waste Exclusion Plan. The facility is more particularly described as:

Site Permit Boundary Legal Description

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINE (9) AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION SIXTEEN (16), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 16, THE SAME BEING THE SOUTHWEST CORNER OF SECTION 9; THENCE SOUTH 01°05'39" EAST ALONG THE WESTERLY LINE OF THE NW/4 FOR 818.26 FEET; THENCE NORTH 88°54'21" EAST FOR 52.75 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 88°54'13" EAST FOR 124.25 FEET; THENCE NORTH 61°42'19" EAST FOR 421.75 FEET;



Solid Waste Permit Modification
East Quarry Construction and Demolition Landfill

THENCE NORTH 67°59'51" EAST FOR 339.39 FEET; THENCE NORTH 00°02'43" WEST FOR 277.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 266 AND A POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF NORTH 80°18'13" EAST, WITH A CENTRAL ANGLE OF 11°58'31", A RADIUS OF 8769.40 FEET, A CHORD BEARING OF NORTH 74°18'58" EAST, A CHORD DISTANCE OF 1829.55 FEET, FOR AN ARC LENGTH OF 1832.89 FEET TO A POINT ON THE EASTERLY LINE OF THE SW/4 OF SECTION 9; THENCE SOUTH 01°22'27" EAST ALONG SAID EASTERLY LINE OF THE SW/4 FOR 226.70 FEET TO THE SOUTHEAST CORNER OF SAID SW/4, THE SAME BEING THE NORTHEAST CORNER OF THE NW/4 OF SECTION 16; THENCE SOUTH 01°05'45" EAST ALONG THE EASTERLY LINE OF THE NW/4, AND ALONG THE EASTERLY LINE OF THE SW/4 OF SECTION 16, FOR 2781.69 FEET; THENCE SOUTH 88°34'25" WEST FOR 2593.27 FEET; THENCE NORTH 01°05'39" WEST PARALLEL TO THE WESTERLY LINE OF SECTION 16 FOR 1971.19 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 6,608,682 SQUARE FEET OR 151.714 ACRES, MORE OR LESS.

Incorporation by Reference:

This Permit Modification has been prepared by the Oklahoma Department of Environmental Quality, pursuant to its authority under the Oklahoma Solid Waste Management Act, 27A O.S. §2-10-101 *et seq.*, and the Oklahoma Administrative Code (OAC) 252 (Rules) 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 East Quarry Construction and Demolition Landfill.

This Permit is based on data, design criteria, plans, and specifications presented in East Quarry Construction and Demolition Landfill's Tier III permit application received on July 6, 2018, with supplemental information submitted February 4, 2019 and April 18, 2019 which are incorporated by reference. Any inaccuracies found in the Application or supporting documentation may provide cause for potential enforcement action against East Quarry Construction and Demolition Landfill and the amendment, modification or revocation of this Permit.

Conditions:

1. The Permittee is allowed to accept, manage and dispose of construction and demolition waste, as defined in OAC 252:515-1-2, in Department of Environmental Quality approved disposal cells in the expansion area in accordance with the conditions of this Permit Modification. Any storage, treatment, and/or disposal of municipal solid waste (MSW), non - hazardous industrial waste (NHIW) or other wastes not authorized in this Permit is prohibited, unless exempted from Permit requirements. Any receipt, storage or disposal of any weight or volume of hazardous waste is strictly prohibited.
2. The East Quarry Construction and Demolition Landfill shall be constructed or modified in accordance with the data, design criteria, plans, and specifications in the permit modification

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application, the Act and Rules, and the specific conditions set forth in this permit modification for individual components of construction.

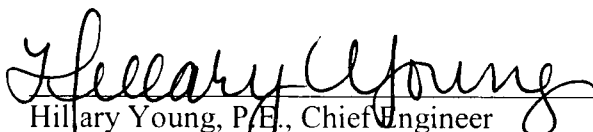
3. This Modified Permit may be further modified, revoked and reissued, or terminated for cause as specified in 27A O.S. §2-3-502 and OAC 252:4. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes or anticipated noncompliance 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.
4. 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.
5. 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 and the remainder of this Permit Modification shall not be affected thereby.
6. The proposed lateral expansion shall expand the permit boundary to the south and to the north from the existing 97.83 acres by 53.98 acres resulting in a new facility permit area of 151.71 acres.
7. The bottom liner system for waste disposal cells shall consist of a reconstructed clay liner (RCL) and an earthen protective cover layer. The RCL shall be at least 36-inches in thickness and shall have a hydraulic conductivity no greater than 1.0×10^{-5} cm/sec. The protective cover layer shall be a minimum of twelve (12) inches in thickness and shall consist of clean earthen material.
8. East Quarry Construction and Demolition Landfill shall manage leachate in accordance with their Oklahoma Pollutant Discharge Elimination System permit issued by the Water Quality Division.
9. East Quarry Construction and Demolition Landfill shall follow the Reporting Requirements below:
 - a. Twenty-Four Hour Reporting - East Quarry Construction and Demolition Landfill 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 East Quarry Construction and Demolition Landfill becomes aware of the circumstances. The report shall include the following:
 - 1) Information concerning release of any waste that may cause an endangerment to public drinking water supplies;

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East Quarry Construction and Demolition Landfill


- 2) Information of a fire or explosion at the facility which could threaten the environment or human health outside the facility; and
 - 3) The description of the occurrence and its cause shall include:
 - a) Name, address, and telephone number of the owner or operator;
 - b) Name, address, and telephone number of the facility;
 - c) Date, time, and type of incident;
 - d) Name, quantity and generator of materials involved;
 - e) The extent of injuries, if any;
 - f) An assessment of actual or potential hazards to the environment and human health outside the facility;
 - g) Estimated quantity and disposition of recovered material that resulted from the incident; and
 - h) 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.
- b. Written Incident Report - A written report shall also be submitted to DEQ within five (5) days of the time East Quarry Construction and Demolition Landfill 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 be corrected; and steps taken or planned to reduce, eliminate, and prevent recurrence of the situations.

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East Quarry Construction and Demolition Landfill is authorized to operate in conformity with the documents incorporated by reference. Commencing operations under this permit modification constitutes acceptance of, and consent to, the conditions contained herein.


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

Date: 9-4-19


Kelly Dixon, Director
Land Protection Division

Date: 9-5-19


Scott A. Thompson, Executive Director
Department of Environmental Quality

Date: 9-11-19