



SCOTT A. THOMPSON  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT  
Governor

July 28, 2020

Mr. Shawn Cowan  
Green to Gold Recycling LLC  
P.O. Box 1108  
Roland, OK 74954

Re: Technical Review Complete – Draft Permit  
Tier II Draft Permit – New Class II Solid Waste Composting Facility  
Oklahoma Green to Gold Recycling LLC  
Pottawatomie County

Dear Mr. Cowan:

The Oklahoma Department of Environmental Quality (DEQ) received a Tier II permit application from Oklahoma Green to Gold Recycling LLC (Green to Gold) for the construction of a new Class II composting facility on January 21, 2020 with supplemental information submitted June 1, 2020 and June 12, 2020. Pursuant to 27A O.S. § 2-14-301(A), the application Notice of Filing was published in the *Tri County Herald*, Meeker, Oklahoma, on February 7, 2020.

DEQ determined the application to be administratively complete on March 9, 2020. Pursuant to Oklahoma Administrative Code (OAC) 252:4-7-8, the Solid Waste Permitting Unit conducted a technical completeness review with respect to the application and inspection. DEQ now finds your application to be technically complete.

Enclosed is a copy of the Draft Permit for your review, together with instructions for the preparation, publication and certification of the legal notice as required with all Tier II applications. As noted in the instructions, please submit a draft of the legal notice to DEQ for review, prior to publication.

If you have any questions concerning the Draft Permit, please contact Martha Grafton of my staff at (405) 702-5144 or [martha.grafton@deq.ok.gov](mailto:martha.grafton@deq.ok.gov).

Sincerely,

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

HY/mg

Cc: Wanda Armer

enclosures



**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**APPLICANT INSTRUCTIONS: PREPARING, PUBLISHING AND  
CERTIFYING LEGAL NOTICE**

When an application has been filed with the DEQ or when a draft or proposed permit has been prepared by DEQ, prepare the legal notice according to the attached form and as directed in the accompanying instructions.

1. Submit a working copy of the notice to the DEQ permitting representative.
2. Obtain DEQ's approval of notice prior to publishing.
3. Publish as legal notice one time in at least one newspaper local to the proposed new site or existing facility.
4. After publication, get a signed affidavit or proof of publication from the newspaper and submit it to DEQ's permitting representative within 20 days after the date of publication.

**NOTE:** You may include any other information in the notice you deem relevant to the application, draft or proposed permit.

If you have questions or need assistance, contact the DEQ permitting representative:

\_\_\_\_\_  
(Name)

P. O. Box 1677  
707 N. Robinson  
Oklahoma City, OK 73101-1677  
Telephone: (405) 702-5100  
Fax No: (405) 702-5101  
Email: \_\_\_\_\_

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
NOTICE – DRAFT (1)**

The Oklahoma Department of Environmental Quality (DEQ) received an application for a solid waste (1) to (2) at the (3), located in the (4). The application was filed by (5) on (6).

The DEQ has tentatively found that the application meets the requirements of Title 27A of the Oklahoma Statutes, Section 2-1-101, *et seq.*, Section 2-10-101, *et seq.*, and rules of the DEQ, Oklahoma Administrative Code (OAC), Title 252, Chapters 4 and 515, and has prepared a draft (1) for public review .

The draft (1) and its conditions propose (7) .

The application, the draft (1), and related documents may be reviewed during normal business hours at the Central Records Office, Oklahoma Department of Environmental Quality, located on the 2<sup>nd</sup> floor of the DEQ building at 707 North Robinson, P. O. Box 1677, Oklahoma City, OK 73101-1677. The DEQ contact is (8) .

Copies are also on file on DEQ's website at <https://www.deq.ok.gov/land-protection-division/permit-public-participation-process/> and locally at (9).

Persons wishing to comment on the draft (1) should submit their comments in writing to DEQ at the above address or electronically to the DEQ at the website address above. Also, any person may request, in writing, a formal public meeting to present written or oral statements and data concerning the draft (1). A request for a public meeting must identify the nature of the issues to be raised in the meeting. If DEQ determines, based on the requests it receives, that there is a significant degree of public interest in the draft (1), it will schedule a public meeting and provide notice of the date, time and place.

Written comments and requests for a public meeting must be received by DEQ within 30 days after the date of this publication at the DEQ address given above. More specific information may be obtained by contacting the applicant at (10), or the DEQ contact listed above.

## INSTRUCTIONS FOR COMPLETING NOTICE OF DRAFT PERMIT OR MODIFICATION AND PUBLIC MEETING OPPORTUNITY

1. Insert "permit" or "permit modification", as appropriate.
2. Insert [dispose, transfer, process, or apply] [brief description of waste types or categories].
3. Insert name and address of facility.
4. Insert legal description of the facility. Insert a sentence identifying the name and address of the applicant if different from the facility.
5. Insert applicant's name.
6. Insert date the application was filed.
7. Give a brief description of all activities controlled under this application, including the common (or technical) names of waste handled, and types of units or processes in which disposal, processing, transfer or application will occur. Include estimates of amounts or volumes of waste to be handled. Include the following information:
  - Identify waste type.
  - Describe what changes are proposed (e.g., type or volume of waste stream, facility capacity or boundaries, methods of treatment, processing, disposal, storage, monitoring, etc.).
  - Explain how changes are to be accomplished (e.g., new processes, equipment, units, operations, construction, etc.).
  - If the application involves a variance, identify the rule name and number for which a variance is being sought and explain why it is needed.
  - If the application is related to an enforcement/compliance matter, explain how and why it would aid compliance.
  - Describe the effect of the application (and/or variance) approval. Discuss resulting outcomes. [*For new permits:* describe what is to be constructed and how it will be operated and closed. For example: construct, operate, maintain and close a solid waste landfill to accept and dispose approximately \_\_\_\_ tons daily of solid waste, including household waste, commercial solid waste, construction waste, demolition waste, nonhazardous industrial solid waste, non-infectious treated biomedical waste, hospital waste, non-friable asbestos waste and materials containing asbestos.] [*For modifications:* increased environmental protections, capacity changes, boundary changes, methods, drainage, monitoring, etc.]
8. Insert the name and telephone number of the DEQ Customer Services representative or DEQ Solid Waste permitting representative, as appropriate.
9. Insert name and address of the local review location. Include driving directions, if necessary. [NOTE: This location must be located in the county where the facility is

located.] The location must be open to the public during normal business hours and be staffed with an employee willing to maintain and update the local review file.

10. Insert name, mailing address, and telephone number of applicant's representative, or telephone number of applicant.

# DRAFT SOLID WASTE PERMIT

The Department of Environmental Quality hereby approves the following permit:

**PERMIT NUMBER:** new  
**APPLICANT:** Shawn Cowan and Wanda Armer  
**FACILITY NAME:** Oklahoma Green to Gold Recycling LLC  
**FACILITY TYPE:** Class II Composting Facility  
**COUNTY:** Pottawatomie County

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The above named applicant, having complied with the requirements of the law, is hereby granted permission to construct, operate, maintain and close a Class II composting facility, in particular a vermicomposting facility. The facility is located in a leased building and on approximately 0.67 acres of land, in Pottawatomie County, Oklahoma outside the City of Meeker.

That leased space is located at the following address: 43470 Moccasin Trail Rd, Meeker, Oklahoma 74954.

## Legal Description of Site

The site is located in a part of the East half of the East half of the Southeast Quarter of the Southwest Quarter (E/2, E/2, SE/4, SW/4) of Section 9, Township 11 North, Range 4 East of the Indian meridian.

The leased area is located within a piece, parcel or tract of land situated in Pottawatomie County, Oklahoma, more particularly described in the warranty deed and lease included in Attachment F of the Application. The property owners as shown on the warranty deed are Darrel and Wanda Armer; they are also the lessors of the building to Oklahoma Green to Gold Recycling, LLC.

Oklahoma Green to Gold Recycling LLC is permitted to accept, store and vermicompost up to 100 tons or 200 cubic yards per year of Type 1 and Type 2 feedstocks including medical marijuana waste. Any storage or treatment of any waste types or volumes not authorized in this Permit is prohibited.

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

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.

# DRAFT SOLID WASTE PERMIT (continued)

## Incorporation by Reference

Oklahoma Green to Gold Recycling LLC's Compost Permit Application (Application) received on January 21, 2020, with supplemental information submitted June 1, 2020 and June 12, 2020.

Any inaccuracies found in the Application or supporting documentation may provide cause for potential enforcement action against Oklahoma Green to Gold Recycling LLC and the amendment, modification or revocation of this Permit.

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Oklahoma Green to Gold Recycling LLC is authorized to construct, operate, maintain, and close the Class II vermicomposting facility in conformity with the application and other documents incorporated by reference. Commencing operations under this Permit 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**  
**Director**  
**Land Protection Division**

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

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## **A. PERMIT SUMMARY**

- 1. Name of facility:** Oklahoma Green to Gold Recycling LLC
- 2. Type of facility:** Class II Composting Facility
- 3. Method of processing:** Oklahoma Green to Gold Recycling LLC will process Type 1 and Type 2 Feedstocks by shredding the waste then vermicomposting in raised beds.
- 4. Name of applicant, applicant representative and applicant address:**

Mr. Shawn Cowan, Owner/Operator  
Oklahoma Green to Gold Recycling LLC  
P.O. Box 1108  
Roland, OK 74954  
Phone: (479) 459-0200

Ms. Wanda Armer, Owner/Operator  
Oklahoma Green to Gold Recycling LLC  
109109 S 4767 Rd  
Roland, OK 74954  
Phone: (479) 651-3370
- 5. Location of site:**

43470 Moccasin Trail Rd  
Meeker, OK 74855
- 6. Type of waste(s) to be accepted:** The following Type 1 and Type 2 Feedstocks may be accepted, stored and vermicomposted:
  - a. Roots, stems, stalks and fan leaves of the plant of the genus cannabis that are not included in the OAC 310:681-1-4 definition of medical marijuana waste;
  - b. Medical marijuana waste as defined in OAC 310:681-1-4. This includes wastes generated by the cultivation, research, education, processing and dispensing facilities, and testing laboratories as included in the application. Oklahoma Green to Gold Recycling LLC shall obtain all Oklahoma Medical Marijuana Authority (OMMA) required licenses and permits prior to accepting medical marijuana waste for disposal.
  - c. Leaves, straw and grass clippings;
  - d. Food wastes from salad bars and other sources; and
  - e. Newspaper, shredded paper and cardboard.
- 7. Source(s) of waste:** Medical marijuana waste generators in the state of Oklahoma. Local retailers for the food, newspaper, paper and cardboard. Local residents for the grass clippings, leaves and straw.
- 8. Estimated amount of waste to be received per day:** 750 lbs
- 9. Population to be served:** approximately 3,940,521 persons.

10. **Area of permitted boundary:** Approximately 0.67 acres or 29,400 square feet. Enclosed metal building occupies approximately 0.09 acres (4,000 square feet) of the 0.67 acres.
11. **Location standards:** Oklahoma Green to Gold Recycling LLC has met the following OAC 252:515 location standards:
  - a. 100-year flood plain;
  - b. Scenic rivers;
  - c. Recreation/preservation areas;
  - d. Endangered or threatened species;
  - e. Public water supply; and
  - f. Wetlands
12. **Buffer zones:** The buffer zones on the north, south, east and west sides of the facility are fifty (50) feet between all processing areas and adjacent property.
13. **Legal right to property:** Oklahoma Green to Gold Recycling LLC operates on a current lease agreement, which is granted by the landowner (Darrel and Wanda Armer) to establish and operate a Class II composting facility.
14. **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, the landowner (lessor), Lessee, and the lease agreements (see B.11 below).
15. **Financial assurance:** Proof of financial assurance in the amount of the closure cost estimate must be in place prior to DEQ approval for the facility to accept waste.

## **B. GENERAL CONDITIONS**

1. **Duty to comply:** Oklahoma Green to Gold Recycling LLC shall comply with the Oklahoma Solid Waste Management Act 27A O.S. § 2-10-101 *et seq.* (Act), the Environmental Quality Code (Code) and rules promulgated thereunder, including referenced provisions of the Oklahoma Administrative Code (OAC) 252:515 Management of Solid Waste (Rules), and all conditions of this permit. Any permit noncompliance constitutes a violation of this permit and is grounds for enforcement action; including permit modification, administrative civil penalties, summary suspension or revocation, and denial of a pending permit application.
2. **Duty to apply:** Oklahoma Green to Gold Recycling LLC shall apply for a permit modification or amendment when such application is required by the Rules or requested by DEQ.
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 Green to Gold Recycling LLC shall take all reasonable steps to minimize or correct any adverse impact on the environment and public health resulting from noncompliance with this Permit or site operation.
5. **Proper operation and maintenance:** Oklahoma Green to Gold Recycling LLC shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the facility to achieve compliance with the Act and the conditions of this Permit. 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 Green to Gold Recycling LLC shall furnish to DEQ, within a time specified, any information which DEQ may request to determine:
  - a. Whether cause exists for modifying, amending, suspending, or revoking this Permit;
  - b. Compliance with this Permit;
  - c. Whether a new or modified Permit should be issued;
  - d. Copies of records required to be kept by the Rules.
7. **Temporary easement:** OAC 252:515-3-34(c) requires a temporary easement be executed 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 Oklahoma Green to Gold Recycling LLC. The executed Temporary Easement, signed by the lessors and recorded in the county land records office, is required to be submitted to DEQ within thirty (30) days of issuance of this permit.
8. **Inspection and entry:** Oklahoma Green to Gold Recycling LLC 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. Inspect, photograph and videotape at reasonable times any site construction, waste management or disposal operation;
  - c. Sample or monitor, for the purpose of assuring compliance with this Permit, any substances or parameters at any location.
9. **Records:** Oklahoma Green to Gold Recycling LLC shall keep on file this Permit and permit application and copies of all:
  - a. As-built facility construction plans, drawings, and specifications;
  - b. A current inventory of worm beds including the quantity and size of the beds;
  - c. Repair and maintenance records;
  - d. Quantity of worm castings and worm tea produced and shipped from the site;
  - e. A daily log to record operational information, including the quantity of feedstocks received;
  - f. Reports filed with DEQ, including all incident reports; and

- g. Closure records.
- 10. Reporting requirements:** Oklahoma Green to Gold Recycling LLC 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 which may result in noncompliance with permit requirements. In the event that Oklahoma Green to Gold Recycling LLC 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 enforcement action and the amendment, modification or revocation of this Permit.
- 11. Renewal of lease:** Oklahoma Green to Gold Recycling LLC shall submit to DEQ a copy of the lease, if renewed. If the terms of the lease are modified between Oklahoma Green to Gold Recycling LLC and the lessor, DEQ may determine cause exists for modifying the Permit. Should the lease agreement not be renewed and the lease becomes null and void, Oklahoma Green to Gold Recycling LLC shall immediately notify DEQ and suspend operations or commence closure activities.
- 12. Suspended operations:** Oklahoma Green to Gold Recycling LLC may suspend development or operations of the Class II composting facility. To do so, Oklahoma Green to Gold Recycling LLC must:
- 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 the suspension, Oklahoma Green to Gold Recycling LLC shall perform closure activities in accordance with the approved closure plan and OAC 252:515-27; and
  - d. Post full financial assurance in accordance with OAC 252:515-27 and the approved closure cost estimates.
- 13. Resuming operations:** If Oklahoma Green to Gold Recycling LLC suspends operations, then prior to resuming such operations, the Permit must be modified if the Permit does not comply with all current laws and regulations or if required by DEQ.
- 14. Change in feedstock type:** In the future, if Oklahoma Green to Gold Recycling LLC wishes to accept feedstock other than those listed in this permit, a Permit Modification shall be submitted to DEQ for consideration.
- 15. Obligation to provide financial assurance:** OAC 252:515 requires Oklahoma Green to Gold Recycling LLC to establish and maintain financial assurance. Oklahoma Green to Gold Recycling LLC shall ensure financial assurance mechanisms are funded in the appropriate amount based on approved closure cost estimates.
- 16. Transfer of permit:** This Permit may not be transferred to any other person except after notice to and approval of DEQ. No transfer will be approved until the applicant complies with all transfer requirements in the Rules.

17. **Corrective action requirement:** Oklahoma Green to Gold Recycling LLC shall conduct corrective action if inspection of the site, or any monitoring results, indicate the potential for, or actual release of, contaminants into the environment.
18. **Duration of permit:** OAC 252:515-3-5(a) mandates the duration of this permit is for the life of the facility.
19. **Cessation of operations:** If Oklahoma Green to Gold Recycling LLC ceases to accept waste for thirty (30) days or more without prior notice to DEQ, OAC 252:515-3-5(b) deems the facility to be in the process of final closure.
20. **Consent to conditions:** Commencing work under this Permit will constitute consent to all permit conditions.

### C. CONSTRUCTION CONDITIONS

1. **Construction authorization:** Oklahoma Green to Gold Recycling LLC shall construct the facility 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.
2. **Construction of surface water and runoff controls:** Oklahoma Green to Gold Recycling LLC shall construct and maintain the site as specified in the permit application to control surface water drainage and runoff at the site.
3. **Construction of worm vats:** Oklahoma Green to Gold Recycling LLC shall not exceed 26 worm vats within the processing building. If more worm vats are required, Oklahoma Green to Gold Recycling LLC shall apply for a permit modification.
4. **Operation of a composting facility:** Oklahoma Green to Gold Recycling LLC shall not commence operation of the composting facility until DEQ provides written approval to accept waste and commence operations.

### D. OPERATING CONDITIONS

1. **Holding period:** Type 2 Feedstocks, including wastes defined in A.6(a) and (b) of this permit shall, upon arrival, be brought inside the processing building for weighing and storage. The medical marijuana waste will be mixed with yard waste and/or other waste streams then ground and placed inside the worm vats for vermicomposting within twenty-four (24) hours of acceptance. No unprocessed feedstock may be stored for more than one (1) year. After 1 year, the unprocessed feedstock shall be properly disposed as solid waste.
2. **Acceptance of Type 2 feedstocks:** No more than 100 tons combined of Type 1 and Type 2 Feedstocks may be processed within one year without applying for a permit modification to operate a Class III composting facility.
3. **Completed process:** The vermicomposting process shall be considered complete when the waste is consumed by the worms, and the worm castings meet the Processes for the Further Reduction of Pathogens (PFRP) as defined by the Code of Federal Regulations Title 40,

Part 503, Appendix B, Section B, at which time the worm castings may be removed from the worm vats and are no longer considered solid waste.

4. **Vector control:** Oklahoma Green to Gold Recycling LLC shall control onsite populations of disease vectors using techniques appropriate to the protection of human health and the environment, as described in the operations plan.
5. **Odor control:** Suitable control measures, shall be taken whenever odors are detectable outside the composting facility.
6. **Fire prevention and mitigation:** Oklahoma Green to Gold Recycling LLC shall implement its plan for fire prevention and response efforts in the event of a fire, including immediately calling the fire department. Access to a fire extinguisher/water source will be available at the site.
7. **Air criteria:** Oklahoma Green to Gold Recycling LLC shall ensure that it does not violate any applicable requirements of the Oklahoma Clean Air Act, as amended, or rules promulgated thereunder.
8. **Open burning prohibited:** Oklahoma Green to Gold Recycling LLC is prohibited from burning any waste at this facility.
9. **Prohibited wastes:** As specified in the permit application, only the following Type 1 and Type 2 feedstocks may be accepted, stored and vermicomposted:
  - a. Roots, stems, stalks and fan leaves of the plant genus cannabis that are not included in the OAC 310:681-1-4 definition of medical marijuana waste;
  - b. Medical marijuana waste as defined in OAC 310:681-1-4. This includes wastes generated by the cultivation, research, education, processing and dispensing facilities, and testing laboratories as included in the application. Oklahoma Green to Gold Recycling LLC shall obtain all Oklahoma Medical Marijuana Authority (OMMA) required licenses and permits prior to accepting medical marijuana waste for disposal.
  - c. Leaves, straw and grass clippings;
  - d. Food wastes from salad bars and other sources; and
  - e. Newspaper, shredded paper and cardboard.

Any storage, treatment, and/or disposal of 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.

10. **Disposal facility:** Oklahoma Green to Gold Recycling LLC shall dispose of all unprocessable wastes, including medical marijuana waste, at a site permitted to accept such wastes.
11. **Preservation of aesthetics:** Oklahoma Green to Gold Recycling LLC shall keep the parking lot clean and waste free and the grass will be cut and maintained to maintain the aesthetic quality of the site.

- 12. Water management:** Oklahoma Green to Gold Recycling LLC shall operate the site to prevent the discharge of contaminated stormwater, unless the proper permit is obtained from DEQ's Water Quality Division. All waste contaminated water including, but not limited to, wash down water from trucks, floors and equipment shall be collected and reused in the worm beds or transported and disposed at a facility permitted to manage the waste contaminated water.
- 13. Out of state waste:** The facility shall not accept any medical marijuana waste from outside the State of Oklahoma.

## **E. REQUIRED NOTICES**

- 1. Twenty-four hour reporting:** Oklahoma Green to Gold Recycling LLC shall report to DEQ any noncompliance which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time Oklahoma Green to Gold Recycling LLC 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. Information of a fire or explosion at the facility which could threaten the environment or human health outside the facility; and
  - 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(s) 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 report shall also be submitted to DEQ within five (5) days of the time Oklahoma Green to Gold Recycling LLC 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.

## F. CLOSURE CONDITIONS

1. **Closure plan:** Oklahoma Green to Gold Recycling LLC shall amend the approved closure plan and submit to DEQ for approval when:
  - a. A closure cost estimate adjustment is required; or
  - b. Modifying the Permit when such modification will affect closure duties or requirements.
2. **Notice of final closure:** Oklahoma Green to Gold Recycling LLC shall give written notice to DEQ fifteen (15) days prior to closure of the facility.
3. **Certification of final closure:** Within 60 days after the completion of final closure for the entire site, Oklahoma Green to Gold Recycling LLC shall submit to DEQ a notarized statement signed by an authorized agent for Oklahoma Green to Gold Recycling LLC 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 applicable Rules.
4. **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.

## G. FINANCIAL ASSURANCE

1. **Establishment of financial assurance:** Oklahoma Green to Gold Recycling LLC shall establish financial assurance in accordance with OAC 252:515-27 based upon the cost for removal and disposal, by a third party not affiliated with Oklahoma Green to Gold Recycling LLC of the maximum amount of feedstock and product material that the site is capable of storing at any time, in addition to removal of equipment, temporary buildings, and establishing permanent vegetation at the facility if required.
2. **Increase of approved closure cost estimate:** Oklahoma Green to Gold Recycling LLC shall increase the approved closure cost estimate 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.
3. **Annual adjustment of approved closure cost estimate:** Oklahoma Green to Gold Recycling LLC shall adjust the closure cost estimate annually and submit the revised closure cost estimate to DEQ no later than April 9<sup>th</sup> of each year. 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 annual "Implicit Price Deflator for Gross National Product" or the "Implicit Price Deflator for Gross Domestic Product" published by the U.S. Department of Commerce in its Survey of Current Business in the year for which the adjustment is being made. The first adjustment shall be made by multiplying the approved cost estimate by the inflation factor. The result is the adjusted cost estimate. Subsequent adjustments shall be made by multiplying the latest adjusted cost estimate by the latest inflation factor. The approved adjusted cost estimates shall be placed in the operating record.