DIVISION OF
ENVIRONMENTAL QUALITY

Sarah Huckabee Sanders
GOVERNOR
Shane E. Khoury
SECRETARY

January 9, 2025

The Honorable Klay McKinney, Judge (bc_judge@yahoo.com)
Bradley County Class 4 Landfill
101 East Cedar, Warren, AR 71671

RE: NOTICE OF FINAL PERMITTING DECISION
Solid Waste Permit No.: 0307-S4
AFIN: 06-00163

The Director has made a final permitting decision for the above referenced solid waste permit. The Director's decision was made upon consideration of the completed application, public comments on record, if any, and any other materials provided by law or regulation applicable to the application. The Arkansas Department of Energy and Environment, Division of Environmental Quality, Office Land Resources (DEQ) has issued a final permit authorizing Bradley County for the construction, operation, and maintenance of the Bradley County Class 4 Landfill located at 1424 A Bradley CR 25 North Warren, Bradley County, AR 71671 pursuant to the Arkansas Pollution Control and Ecology Commission (APC&EC) Rule 22.

The final permit, Statement of Basis for the decision, and Response to Comments, if any, are available on DEQ's website at the following web address:

https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/SolidWaste/0307-S4.pdf

This notice of final permitting decision is being mailed to Judge McKinney and those persons who submitted public comments on the record as required by the APC&EC Rule 8. This notice of final permitting decision including the certificate of service is part of the permitting record and is available at the website above. Judge McKinney and any person who submitted public comments on the record may request an adjudicatory hearing and Commission review of the final permitting decision as provided under Chapter Six of the APC&EC Rule 8.

CERTIFICATE OF SERVICE

I, Haley Griffith, hereby certify that a copy of this notice of permitting decision has been mailed to Judge McKinney at 101 East Cedar Street, Warren, AR 71671 on this 13th day of January, 2025.

Haley Griffith
Signature of person mailing this notice

January 9, 2025

The Honorable Klay McKinney, Judge (bc_judge@yahoo.com)
Bradley County Class 4 Landfill
101 East Cedar, Warren, AR 71671

Re: Issuance of Final Permit Decision for a Class 4 Landfill
Bradley County Class 4 Landfill
Solid Waste Permit Number: 0307-S4; AFIN: 06-00163
Cross Reference Document Identifier (Doc ID): 0307-S4_Permit Modification Request for Trench Design_20241204.pd

Dear Judge McKinney:

The Division of Environmental Quality Office of Land Resources (DEQ) has reviewed the request for a minor modification for the Bradley County Class 4 Landfill, received on December 4, 2024. The modification added an approved alternate cell design and final cover design. DEQ approves this permit modification request. The decision to issue the permit is based upon the information contained in the permit application and other materials submitted by the applicant.

The permit is granted subject to the terms and conditions specified in the permit. The amount of financial assurance required is $248,709.12 for the facility. The purpose of the financial assurance is to ensure an environmentally sound closure of the site upon conclusion of operations of the facility. Please review all terms and conditions of the permit to ensure compliance with all applicable requirements.

This authorization is given in reliance upon the statements and representations made to the DEQ, and the DEQ has no responsibility for the ultimate proper functioning of the disposal facility. DEQ also reserves the right to request additional information if deemed necessary. This approval shall not remove any liability nor hold the Bradley County permittee harmless in the event of any adverse environmental or public health conditions resulting from this authorization. The Bradley County permittee shall be solely and fully responsible for implementing any corrective action necessary to remediate any adverse condition at the site based on this authorization.

If you have any questions regarding this correspondence, please contact Richard Bennett at (501) 682 - 0861 or Richard.Bennett@arkansas.gov.

Sincerely,



Bryan Leamons, P.E.
Associate Director, Office of Land Resources

Enclosures: Permit
Permit Application Summary and Rationale

cc: DEQ – Jones, Hurt, Krou, Speake, and Banic
Andrew Miller, P.E., McClelland Engineers (amiller@mce.us.com)

PERMIT
FOR THE CONSTRUCTION AND OPERATION OF A
SOLID WASTE DISPOSAL FACILITY
ISSUED BY
STATE OF ARKANSAS
DIVISION OF ENVIRONMENTAL QUALITY
OFFICE OF LAND RESOURCES

Class 4 Municipal Solid Waste Landfill

Permit Number	**0307-S4**
AFIN	**06-00163**
Permit Owner & Address	Bradley County 101 East Cedar Street Warren, AR 71671
Facility Site Name & Address	Bradley County Regional Class 4 Landfill 1424 A Bradley CR 25 North Warren, Bradley County, AR 71671
Location	W/2 of the NW/4 of the NE/4 and the NE/4 of the NW/4 of Section 27, Township 13 South, Range 10 West, Bradley County, Arkansas
Permitted Landfill Area	45± Acreage
Property Area	60 ± Acreage
Financial Assurance	Total $248,709.12 Closure $150,252.88 Post Closure $98,456.24
Latitude/Longitude	33° 33'25" / 92° 07' 20"
Design Engineer/Consultant	McClelland Consulting Eng., Inc. 900 West Markham, Little Rock, AR 72201

This permit authorizes the operation of the solid waste disposal facility as set forth in the permit application for Bradley County, hereinafter called "owner or "permittee," originally dated March 1, 2002, and received by the Division of Environmental Quality (DEQ) on April 29, 2002. The updated filed version of the Application, however, was signed and dated 1/10/2003 and received by ADEQ on February 5, 2003, with the final corrections being pages 1 and 3 received March 12, 2003, and May 27, 2003, respectively. The application was completed through a series of documents furnished by McClelland Consulting Eng., Inc. and received on December 10, 1997; September 25 and November 17, 2000; April 29, July 16, July 30, and September 18, 2002; February 5, March 12, March 20, May 27, June 11 and June 17, 2003. This permit is issued pursuant to the provisions of the Arkansas Solid Waste Management Act (Arkansas Code Annotated 8-6-201 et seq.) as amended, hereinafter called the "Act"; Rule 22, Arkansas Solid Waste Management Code, as adopted by the Pollution Control and Ecology Commission, hereinafter called "Rule 22"; and all other applicable rules and regulations of the Division of Environmental Quality, hereinafter called "Division", and the following terms and conditions:

DESCRIPTION OF THIS PERMIT ACTION

This document is a permit for an existing Class 4 landfill facility. The minor permit modification added an alternate cell design, allowing for stepping to be added to the inside of the cell and a change in the final cover slope from 1-2% to 4% for improved surface water drainage.

SITE SPECIFIC CONDITIONS

1. This permit is for a 60 ±acre site with waste disposal to occur on approximately 45 ±acres as indicated on the approved plans. The final grades and elevations shall not be exceeded at any time or in the anticipation of settlement and consolidation of the waste mass. This permit shall expire when the authorized fill elevations have been attained and the facility is closed out in accordance with the provisions of Rule 22, whichever occurs first.

    a. The Division shall be notified in writing upon construction of each disposal unit and upon facility closure in order that it may be inspected.

    b. Changes to or deviations from the construction/layout and operation of the facility, as indicated on the approved facility plans indicated below, and on the approved permit application documentation, are not authorized unless approved in writing by the Division.

    c. The approved design drawings and specifications by McClelland Consulting Eng., Inc. includes the following final plans: Sheets 1, 2, and 8 through 18 of 18 sheets dated February 2002 received on February 5, 2003, with DEQ Document Identification Number 19237. Finally, Sheet 5 of 18 dated February 2002 with the latest revision date January 10, 2003, and received on March 20, 2003 (Document Identification Number 19611), Sheet 1 dated October 19, 2023, in Document Identification Number 84777, and Sheet 1 received on December 4, 20024 in Document Identification Number 0307-S4_Permit Modification Request for Trench Design_20241204.

2. The total amount of financial assurance is $248,709.12, of which $150,252.88 is for Closure and $98,456.24 is for Post-Closure Care. This amount shall be subject to annual adjustments and may be increased at the discretion of the Division based upon the estimated cost for a third party to close the largest area requiring final cover during the active life of the facility and the cost for a third party to perform post-closure care.

    a. The instruments used must be in one of the forms set forth in Rule 22 or as otherwise approved by the Division.

    b. Operations allowed under this permit shall not commence until all financial assurance is satisfactorily filed with the Division.

    c. A portion or all of the financial assurance may be held by the Division beyond the time of cessation of disposal operations at the site to ensure satisfactory closure and post closure care in accordance with Rule 22.

3. This permit is for the disposal of bulky inert, non-putrescible Class 4 solid waste as defined by Rule 22. This waste includes non-compostable wood waste such as tree trunks stumps, demolition and construction debris, shredded or processed tires as defined by Rule 36, Regulations and Administrative Procedures for the Waste Tire Program, furniture and other inert wastes that the Division may approve

for disposal. Appliances may be disposed provided polychlorinated biphenyls (PCBs) and chlorofluorocarbons (CFCs) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard and "Special Materials" as these terms may be used by Rule 22 are not authorized for acceptance and disposal at the facility.

4. At a minimum, a weekly cover of six (6) inches of compacted soil shall be applied to all exposed waste or on a regular schedule authorized by the Division. Cover material shall be applied on a more frequent basis if necessary to provide for the control of leachate, blowing litter, disease vectors, fires, odors, scavenging, or to prevent harm to human health or the environment. An intermediate cover of sufficient quantity but not less than twelve (12) inches of soil cover (including six (6) inches of daily or weekly cover) shall be applied over disposed waste in any area that is not to receive an additional application of waste or final cover within thirty (30) days in accordance with Rule 22.609(b).

5. Measures to control and prevent storm water run-on from running through or into the active disposal area shall be constructed and maintained. Grading, dikes, diversion ditches, silt fencing, silt traps, and other best management practices (BMP) for storm water control shall be provided as necessary to control/prevent off-site sediment accumulation from landfill-related operations. Measures shall be implemented to prevent storm water from coming into contact with leachate. These measures are detailed in the approved Plans on Sheet 7 of 18 (DEQ Document Identifier 20215).

6. After the final elevations are attained, the final cover system shall be constructed and a thick vegetation cover shall be established and maintained. Following establishment of cover vegetation, the vegetation shall be properly mowed as needed during the growing season to control undesirable annual weed and woody vegetation growth and to facilitate proper inspection of the final cover system.

7. The post-closure maintenance period for this facility shall be a minimum of two (2) years starting on the date the Division accepts closure of the facility. The length of the post-closure period may be decreased or increased by the Director in accordance with Rule 22.1302(c)(4).

8. The Pre-Site Evaluation Memo dated August 1, 2001, noted that due to sand and gravel material encountered in the southwest corner of the site (Test Pit 4), this area should be evaluated to determine if this material can be removed prior to a disposal cell being constructed in this area.

GENERAL CONDITIONS FOR CLASS 4 FACILITIES

1. This permit is issued in reliance upon the statements and representations made in the application, operating narrative, plans, specifications, correspondence, and other related documents. The Division bears no responsibility for the adequacy or proper functioning of the disposal facility. Nothing contained herein shall be construed as releasing the permittee from any liability from damage to persons or property due to the installation, maintenance, or operation of the disposal facility or any act of the permittee, or the permittee's employee or agents.

2. The disposal facility shall be constructed, maintained, and operated in accordance with the final plans, specifications and operating plan and narrative submitted in the Application and in compliance with all applicable provisions of the Act, Rule 22, and all other applicable rules and regulations.

3. Any statements in the operational narrative, specifications, and/or engineering plans that conflict with Rule 22, permit conditions herein, or other applicable laws and regulations shall not be considered authorized by the Division.

4. At all times the disposal facility shall be maintained in good condition and operations shall be conducted by licensed, qualified on-site operators holding the appropriate license as required by Rule 27, Licensing of Operators of Solid Waste Management Facilities and Illegal Dump Control Officers.

5. The liner bottom shall be eighteen inches (18) inches or more of compacted clay material exhibiting permeability equal to or less than 1.0×10^{-5} cm/sec.

6. The final grades and elevations shown on the plans shall not be exceeded at any time or in anticipation of settlement and consolidation of the waste mass.

    a. Timely initiation and completion of closure of landfill cells or units shall be made in accordance with Rules 22.1301(f) and (g).

    b. Proper construction of the final cover system shall be observed and certified in writing to the Division by a Registered Professional Engineer in a Construction Certification Report in accordance with the approved CQA Plan whenever a cell, module, area or phase of the landfill is closed-out.

    c. The Certification Report shall include CQA/QC test results as indicated in the approved CQA Plan; drawings indicating the location, designation and extent of closed area(s); and test locations.

7. The permittee shall maintain an Operating Record at the location indicated in the permit application, or at an alternate location approved in writing by the Division.

    a. At a minimum, the following documents and materials shall be retained in the facility operating record for review by authorized representatives of the Division:

        1. The approved facility operating plan, approved permit plans and specifications, CQA reports, site inspection reports, operator licenses, this disposal permit and written authorizations issued by the Division that provide modifications to the facility or its operations, all

environmental monitoring or test results, and other pertinent records, certifications and correspondence as required by Rule 22 or other permit conditions herein; and

2. All construction test results, certifications, acceptances, construction reports, photographs, layout drawings, record (as-constructed) drawings, shop drawings, construction drawings, and other documentation required by the specifications, and CQA/QC plans, reports and documents; and

3. Other documents that pertain to the operation and maintenance closure and/or post-closure of the facility, or as directed by the DEQ.

b. The permittee shall forward a copy of information from the Operating Record when requested by the Division.

8. This permit may be revoked or modified whenever, in the opinion of the Division, the facility is no longer in compliance with the Act, Rule 22, or other applicable rules and regulations. Except where expressly authorized by the Division, this permit shall not relieve the permittee, or the permittee's employees or agents, from compliance with the provisions of the Act and Rule 22.

9. The Division may issue modifications or amendments to this permit governing the design, operation, maintenance, closure or post-closure of the facility during the term of this permit. Such modifications or amendments shall be attached to this permit and shall be fully maintained and enforceable as a condition or conditions of this permit.

10. The Division has received an initial permit fee from the permittee. Annual permit fees due thereafter shall be assessed in accordance with Rule 9, Regulation for the Fee System for Environmental Permits as revised by Emergency Order effective November 1, 2002. Failure to pay annual fees when due may result in the revocation of this permit.

11. Any change in the ownership of the facilities or control of the operation may be considered a permit modification and shall be fully disclosed to the Division. For purposes of this evaluation, ownership or control may result from a change in the debt or equity of the permittee of five percent (5%) or more. A permit transfer will not be required when a change in ownership or control of the facility is among the persons and/or entities previously disclosed to the Division in Section E of the Disclosure Statement or similar disclosure.

12. The permittee shall furnish the Division annual engineering inspection reports in accordance with Rule 22.619. This report is due on June 30 of each year and shall cover the preceding period beginning January 1 and ending December 31.

13. A survey control system shall be established and maintained at the landfill site that complies with Rules 22.622 and 22.426.

14. The landfill working face shall be confined to the smallest practicable area.

15. The permittee shall not engage in or allow salvage operations at the facility except with written authorization from the Division. The Division may review and approve requests for future salvage of disposed materials for recycling purposes on a case-by-case basis.

16. Disposal of bulk liquid waste in the landfill is prohibited. Liquid waste is waste that contains "free liquids" as defined by Method 9095 (Paint Filter Liquids Test) in EPA Publication No. SW-846.

17. Appropriate NPDES construction/stormwater permit(s) shall be obtained for stormwater discharges from the landfill site and borrow sites. A Storm Water Pollution Prevention Plan (SWPPP), which outlines erosion and sediment control measures, shall be prepared and implemented in accordance with applicable NPDES requirements. A copy of the SWPPP shall be maintained on-site for reference by operating staff.

18. The permittee shall comply with the air criteria requirements of Rule 22.612. Those requirements include meeting the State Implementation Plan (SIP) pursuant to Section 110 of the Clean Air Act; prohibiting open burning of solid waste, unless authorized by the Division; and establishing fire safety procedures.

19. The permittee shall implement a hazardous waste screening and detection program at the facility in accordance with the approved operating plan and Rule 22. The program shall include procedures for the evaluation of any questionable wastes prior to disposal to determine whether the waste complies with the Rule 22 requirements for disposal in the facility.

20. Erosion and sediment controls shall be implemented and maintained on an ongoing basis at each borrow site (whether on-site or off-site) to minimize sediment losses until final reclamation/stabilization of the borrow site is accomplished and final reclamation of the borrow site is determined to be acceptable by the Division. Final reclamation/stabilization of each borrow site shall include final grading to promote proper drainage and establishment of suitable perennial grasses such that all disturbed areas are fully stabilized, or reclamation through other means approved in writing by the Division. Final side slopes at borrow pits shall not be any steeper than 3:1 (H:V).

21. The Division, its employees, agents, or any authorized person shall have the right to enter the property at any time for any reason as set out in Rule 22 for the purposes of, including but not limited to, taking samples, reviewing the operating record, inspecting the facility, and perform other enforcement or engineering action without interference or delay from the permittee.

22. The Division's decision to issue this permit is final for purposes of appeal as of the date indicated in the Certificate of Service. If any provision of these conditions or the application of these conditions thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these conditions that can be given effect without the invalid provision or application. Therefore, to this end, the provisions of these conditions are declared to be severable.

APPROVED BY: **Division of Environmental Quality**
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

Bryan Leamons

Bryan Leamons, P.E.
Associate Director

January 9, 2025

Date

PERMIT APPLICATION SUMMARY AND RATIONALE
BRADLEY COUNTY REGIONAL CLASS 4 LANDFILL
Permit Number: 0307-S4
AFIN #: 06-00163

PERMIT APPLICATION SUMMARY

This summary form consists of information submitted during the permitting process. It represents basic information from the administrative record utilized in forming recommendations from the Office of Land Resources. The entire file for the solid waste permit application specified below should be reviewed for complete details on the proposed facility.

PERMIT APPLICATION SUMMARY	
Name of Applicant:	Bradley County 101 East Cedar Street, AR 71671
Name of Facility:	Bradley County Regional Class 4 Landfill
Engineering Firm:	McClelland Consulting Eng., Inc. 900 West Markham, Little Rock, AR 72201
Application Date:	1/10/2003
General Site Location:	South of the City of Warren, approximately 2.5 mls S. on CR 25. The entrance to the facility is on the right side of CR 25.
Specific Site Location:	W/2 of the NW/4 of the NE/4 and the NE/4 of the NW/4 of Section 27, Township 13 South, Range 10 West, Bradley County, Arkansas
Class 4 Permit Area:	60 ± property acres; Area to be used for waste disposal: 45 ± acres
Type of Landfill Operation:	Trench Fill Method
Topography:	The proposed Class 4 facility abuts the south boundary of the existing City of Warren landfill. The site has been cleared of trees with some tree stumps remaining. The topography at the landfill site indicates a slope of approximately eight (8) percent to the west with the east four hundred feet slopes to the east at about the same eight (8) percent.
Geology:	The soil series developed across the site include the Boswell series (BgC, BwC2), the Saffell series (SaD, SaC, SaC2), The Savannah series (SdB), and the Mixed Alluvial (Ma). Soils in the Boswell series are moderately well drained, medium acid to strongly acid soils. They were derived from unconsolidated beds of clay, silt, and sand. In the areas mapped as BgC soils pieces of chert and quartz gravel are scattered throughout the upper 8 to 10 inches of the soil. The subsoils in this series have a high shrink-swell potential. The Saffell series consist of well drained, medium acid to strongly acid soils of the uplands. They were derived from gravely Coastal Plain materials. The gravel is chert and quartz, and the pieces range up to 2 inches in diameter. These soils have a low to moderate shrink-swell potential. The Savannah series consist of moderately well drained, medium acid to strongly acid soils that were derived from unconsolidated beds of sand, silt and sandy clay. The subsoil contains a fragipan that begins at a depth of 18 to 36 inches. These soils also

PERMIT APPLICATION SUMMARY	
	have a low to moderate shrink-swell potential. These soil strata have a very low permeability (near or below 1 x 10^{-7} cm/sec) which are very suitable for the Class 4 landfills. The clay material makes up over 80 percent of the entire soil mass of these strata, as indicated by the gradation results. The site is suitable for a Class 4 landfill. However, due to sand and gravel material encountered in Test Pit 4, the southwest corner, this area should be evaluated to determine if this material can be removed prior to a disposal cell being constructed in this area.
Groundwater:	A series of six (6) test pits were dug, logged, and backfilled during the pre-site visit. These pits, TP1 through TP6 were dug to a depth of between 9'10" and 12'0". The groundwater table was not breached. Ground water withdrawals in Bradley County is from three aquifers, the alluvial aquifer deposits of the Quaternary age, the Cockfield Formation and the Sparta Formation. Five public water systems provide domestic water to more than 75% of the residents of Bradley County. Four of the public water systems withdraw their water from the Sparta aquifer and the fifth one gets its water from the Cockfield Formation.
Surface Drainage Sequence:	Moro Bayou and the Ouachita and Saline Rivers not only delineate most of the boundaries of Bradley County, but also provide the major surface water drainage pathways. The interior of the county is drained by the southward flowing L'Aigle Creek. Area drainage across the site is generally towards the west, emptying into Henry's Creek, which runs north to south along the west boundary of the property. Henry's Creek eventually empties into L'Aigle Creek and the Ouachita River.
Types and Sources of Wastes:	Non-putrescible (Class 4) waste from Southeast Arkansas RSWMD. This facility is for the disposal of bulky inert, non-putrescible Class 4 waste as defined by Rule 22. This waste includes non-compostable wood waste such as tree trunks and stumps, demolition and construction debris, shredded or processed tires as defined by Rule Number 36, Regulations and Administrative Procedures for the Waste Tire Program, furniture and appliances provided polychlorinated biphenyls (PCB's) and chlorofluorocarbons (CFC's) are removed from the appliance prior to disposal in accordance with applicable state and federal regulations, and other inert wastes that the Division may approve for disposal. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household wastes of any kind, putrescible waste, paper waste including cardboard and "Special Materials" as these terms may be defined by Rule 22 are not authorized for acceptance and disposal at the facility.
Projected Average Quantity:	Average of 11,250 CY/year
Design Capacity and Projected Site Life:	Initial Design Capacity-225,000Cubic Yards±
Projected Site Life:	20 years ±

Site Specific Permit Conditions for this Class 4 Facility	
Condition No:	Rationale
1	Concerns the requirement that the landfill facility construction and operation must be in conformance with permit documents. This is a requirement of Sections 22.301, 22.308 and 22.607 of Pollution Control and Ecology (PC&E) Commission Rule No. 22, Solid Waste Management (Rule 22). Condition No. 1 also concerns permit expiration and permittee notification requirements in accordance with Sections 22.309 and 22.1301 of Rule 22.
2	Concerns posting of financial assurance by the owner/operator to assure proper closure when the facility is filled to the authorized final elevations and for maintenance of the closed facility during the post-closure care period. The amount of financial assurance is based upon closure and post-closure care cost estimates by a registered engineer. These estimates are based upon performance of the work by a third party. Chapters Thirteen and Fourteen of Rule 22 set forth financial assurance requirements
3	Concerns the types of wastes that can be accepted at the facility. The facility is permitted as a Class 4 landfill and may accept bulky, inert, non-putrescible waste. Hazardous and/or toxic waste materials, liquid or semi-liquid waste, household garbage, and putrescible wastes are not authorized for acceptance and disposal at the facility.
4	Requires weekly cover over disposed waste in accordance with Section 22.609 of Rule 22.
5	Concerns requirements for storm water run-on and run-off controls, erosion and sediment controls, and implementation and maintenance of final cover systems in accordance with Sections 22.607, 22.614, 22.615, 22.619, 22.623, 22.625, 22.1301, and 22.1302 of Rule 22.
6	Requires a final cover system and a thick vegetation cover after final elevations are attained. Cover vegetation shall be properly to control undesirable weeds and woody growths to facilitate inspection of the cover system.
7	Requires a post closure maintenance period of a minimum of two (2) years after closure of the facility in accordance with Section 22.1302 of Rule 22.
8	Noted that the southwest corner of the site should be evaluated to determine if sand and gravel material can be removed prior to a disposal cell being constructed in that area in accordance with the Pre-Site Evaluation.

Permit Summary and Rationale

The following information was considered during the preparation of a draft permit for the proposed facility:

- Permit Application dated January 10, 2003, along with supporting documents and revised documents submitted up to the time of preparation of the notice of draft permit Application received on February 5, 2003. The documentation for this modification was submitted on December 4, 2024.
- Correspondence
- APC&EC Rule 8, Rule 9, Rule 22, and Rule 27

General Conditions for Class 4 Facilities	
Condition No.	Rationale
1	Concerns Division reliance upon the permit application and accompanying documents and disclaims any Division responsibility in the operation of the facility. Condition No. 1. Also concerns the permit holder's potential liabilities to other parties in the event of damage to persons or property as a result of facility operation.
2	Notes that waste disposal operations are to be conducted within the limits as described on the approved engineering plans and in accordance with the operating narrative as per Section 22.607 of Rule 22.
3	Notes that the requirements of the permit or Rule 22 shall prevail in the event there is a conflict between them and the documents submitted with the permit application. This is in accordance with Sections 22.103 and 22.301 of Rule 22.
4	Concerns the requirement that the facility be operated by personnel who are appropriately licensed by the Division. This is a requirement of the APC&EC Rule 22 and Rule 27, Licensing of Operators of Solid Waste Management Facilities and Illegal Dump Control Officers.
5 & 6	Concern requirements for construction of bottom liner and final cover systems. Condition No. 6. Also notes that the landfill facility construction must be within the limits set forth in the approved plans in accordance with Sections 22.301, 22.308, and 22.607 of Rule 22.
7	Requires the permittee to maintain operating records at the facility in accordance with Section 22.617 of Rule 22.
8 & 9	Authorize the Division to revoke or modify the permit in the event the facility is no longer in compliance with Rule 22 in accordance with Section 22.308 of Rule 22.
10	Concerns the permit holder's responsibility to pay annual permit fees. This is a requirement of APC&EC Rule No. 9, Fee System for Environmental Permits.
11	Requires that the Division be notified in the event there is a change in the ownership of the facility or control of the operation involving persons or entities not previously disclosed to the Division in a Disclosure Statement. This is in accordance with Act 454 of 1991.
12	Requires submission of annual engineering inspection reports in accordance with Section 22.619 of Rule 22.
13	Requires establishment of a survey control system at the facility in accordance with Sections 22.426 and 22.622 of Rule 22.
14 & 15	Are in accordance with Section 22.607 of Rule 22.
16	Prohibits disposal of bulk liquid waste in the landfill in accordance with Section 22.616 of Rule 22.
17 & 20	Require the permittee to obtain appropriate NPDES permits for storm water discharges and to

General Conditions for Class 4 Facilities	
Condition No.	Rationale
	implement effective sediment and erosion controls in accordance with Sections 22.614, 22.615, and 22.623 of Rule 22.
18	Requires the permittee to comply with applicable air criteria in accordance with Section 22.612 of Rule 22.
19	Requires the permittee to implement a hazardous waste screening program in accordance with Section 22.608 of Rule 22.
21	Concerns the Division's right of entry onto facility property and its authority to make whatever inspections, visits and studies necessary to monitor compliance. This is in accordance with Section 22.1501 of Rule 22.
22	Concerns commencement of the time interval in which the permit can be appealed. This is in accordance with APC&EC Rule No. 8, Administrative Procedures. Condition No. 22 also concerns severability. This is in accordance with Section 22.1601 of Rule 22.