

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
NOTICE – PROPOSED PERMIT

The Oklahoma Department of Environmental Quality (“DEQ”) gives notice of the opportunity for interested persons to review a proposed Solid Waste permit modification prepared by DEQ and request an administrative hearing. If no request is timely made, the proposed permit modification will become final.

The proposed permit modification is based on a Tier III application filed by American Environmental Landfill, 1420 W. 35th Street, Suite B, Tulsa, Oklahoma, for a solid waste permit modification to expand the permitted boundaries.

The American Environmental Landfill is an existing facility located in Osage County at 212 North 177th West Avenue, Sand Springs, Oklahoma. See legal description below.

The Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) and the East Half (E/2) of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) and the Northwest Quarter (NW/4) of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of Section 36, Township 20 North, Range 10 East of the Indian Meridian, Osage County, Oklahoma.

AND

A tract of land being a part of the West Half (W/2) of Section 36 and the East Half (E/2) of Section 35, Township 20 North, Range 10 East of the Indian Meridian, Osage County, Oklahoma.

AND

The South 50.00 feet of the East 1165.11 feet of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4) of Section 36, Township 20 North, Range 10 East of the Indian Meridian, Osage County, Oklahoma.

AND

A Tract of land in the East Half (E/2) of Section Thirty-five (35) and the West Half of the West Half (W/2 W/2) of Section Thirty-six (36), Township Twenty (20) North, Range Ten (10) East of the Indian Meridian, Osage County, Oklahoma.

The permit modification and its conditions propose to laterally expand the permit boundary from approximately 222 acres to 425 acres, establish base grades for such area, and permit a leachate storage impoundment. The expansion will allow for an additional 163 acres of waste disposal area. With the addition of the expansion area, the total design capacity of the landfill is 79,772,974 cubic yards. Groundwater and explosive gas monitoring will be expanded to incorporate the expansion area. Stormwater drainage structures will be constructed to control surface water discharges. Solid waste, household waste, commercial solid waste, construction and demolition waste, non-hazardous industrial solid waste, contaminated soil, municipal and industrial sludge, non-friable asbestos, friable asbestos, liquid wastes, special waste, and other waste deemed by the DEQ as

non-hazardous and can be disposed of in a municipal solid waste landfill will be disposed of at the American Environmental Landfill.

One variance request is included in the application per OAC 252:515-3-32. The variance request is for the location of the permit boundary expansion within an area designated as alluvium or terrace deposits, OAC 252:515-5-51(a)(1). A portion of the proposed permit boundary expansion area is located within an area designated as alluvium or terrace deposits and their recharge areas, as shown on “Map of Aquifers and Recharge Areas in Oklahoma” compiled by Kenneth S. Johnson, Oklahoma Geological Survey (1991). As discussed in Section 3.7 of the application narrative and Appendix G (Quality Assurance / Quality Control Plan), unstable areas, including alluvium/terrace deposits, will be undercut to firm material and backfilled with suitable compacted earthen fill to reach cell subgrade elevations. By removing unsuitable material, backfilling, and compacting the subgrade in accordance with the Quality Assurance / Quality Control Plan, the variance equals or exceeds the protection accorded by OAC 252:515-5-51(a).

DEQ prepared the proposed permit modification after it reviewed the application for compliance with the Solid Waste Management Act, Title 27A of the Oklahoma Statutes, Section 2-10-101, et seq. and the rules of the DEQ, Oklahoma Administrative Code (OAC), Title 252, Chapters 4 and 515, and prepared a draft permit modification. No public comments or requests for a public meeting were received by DEQ.

An administrative hearing is an evidentiary individual proceeding held at DEQ’s office by an administrative law judge in accordance with the Administrative Procedures Act (Oklahoma Statutes, Title 75, Section 309) and DEQ procedures (OAC, Title 252, Chapter 4). The hearing will determine: (1) if the proposed permit should/should not be issued as final; and (2) if it is finalized, which, if any, of its conditions should be changed prior to issuance.

Who can request: A person (or a group that has 25 or more members who are Oklahoma residents) who claims to hold a demonstrable environmental interest and who alleges that the construction or operation of the proposed facility or activity would directly and adversely affect such interest.

Requesters’ rules: Each requester must participate in the hearing as a party, present testimony and evidence and cross-examine witnesses about the testimony and evidence presented by the applicant’s attorney. An individual may represent himself or be represented by an attorney.

Deadline for request: Must be received by DEQ within 20 days after the date this notice is published.

How to request: Submit a request, in writing, to the Administrative Hearing Clerk, Department of Environmental Quality, P. O. Box 1677, Oklahoma City, OK 73101-1677, (FAX 405-702-7101). All requests for individual proceedings must be in writing, contain a brief statement of the basis of the request, the name and address of each requester, and be signed by the requester or an authorized representative.

For more information on hearing procedures: See Title 27A of the Oklahoma Statutes, Section 2-14-304 and Oklahoma Administrative Code, Title 252, Chapter 4, Rules of Practice and Procedure

of the DEQ, Subchapter 9. Contact Hillary Young, DEQ, Land Protection Division, P. O. Box 1677, Oklahoma City, OK 73101-1677; (405) 702-5100.

The proposed permit modification, draft permit modification, and application may be reviewed during normal business hours at the Central Records Office, Oklahoma Department of Environmental Quality, located on the 2nd floor of the DEQ building at 707 North Robinson, P. O. Box 1677, Oklahoma City, OK 73101-1677. The DEQ contact is Hillary Young, DEQ, Land Protection Division, P. O. Box 1677, Oklahoma City, OK 73101-1677; (405) 702-5100. Copies are also available on DEQ's website at <https://oklahoma.gov/deq/permits/land-permits/permit-public-participation-process.html> and locally at the Pawhuska City Library located at 1801 Lynn Ave. Pawhuska, Oklahoma.

More specific information may be obtained by contacting the applicant, Wade Miller, 1420 W. 35th Street, Suite B, Tulsa, Oklahoma 74107; (918) 245-7786, or the DEQ contact listed above.