

July 10, 2024

Mr. Robert Starke
GFL Environmental
1001 S. Rockwell Ave.
Oklahoma City, Oklahoma 73128

Re: Technical Review Complete and Tier III Draft Solid Waste Permit Modification
Northeast C&D Landfill, Oklahoma County
Solid Waste Permit No. 3555050

Dear Mr. Starke:

On August 29, 2023, the Oklahoma Department of Environmental Quality (DEQ) received a Tier III Permit Modification Application (Application), submitted by SCS Engineers, on behalf of N.E. Landfill, LLC (a subsidiary of WCA of Oklahoma, LLC, a GFL Environmental Company). The Application requests for an expansion of the permit boundary and waste boundaries at Northeast C&D Landfill.

Pursuant to 27A O.S. § 2-14-301(A) & (B), the application "Notice of Filing" was published in *The Oklahoman* on September 29, 2023, providing a 30-day notice of the date, time, and place for the process meeting. In accordance with OAC 252:4-7-13(d), the affidavit of publication was submitted to DEQ on October 18, 2023, within 20 days after the date of publication. The process meeting was held at the Metropolitan Library System – Midwest City Library Forum Room, on October 24, 2023, at 6:00pm.

On November 2, 2024, DEQ issued a letter stating the Application was found to be administratively complete with the exception of submittal of the certified mail return receipts for notices sent to mineral interest owners and to adjacent landowners whose property may be substantially affected by installation of the landfill. DEQ subsequently received the certified mail return receipts on November 16, 2023.

After conducting a technical review of the Application, DEQ issued a Notice of Deficiency (NOD) on February 22, 2024. DEQ received the NOD response on April 4, 2024. At this time, all NOD items have been resolved, and the Application is considered technically complete. The Draft Solid Waste Permit Modification has been prepared and a copy enclosed with this letter.

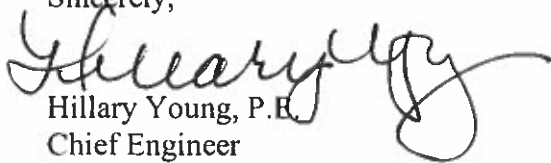
27A O.S. § 2-14-302 requires Northeast OKC C&D Landfill to publish "Notice of Draft Permit Modification" in one newspaper local to the site and allow 30 days for public comment and for a public meeting request. Also enclosed are instructions for the preparation, publication and certification of the legal notice as required with all Tier III applications. As noted in the enclosed instructions, please submit a draft of the legal notice to DEQ for review, prior to publication. Additionally, please note that prior to publication of the Notice, the Draft Solid Waste Permit

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Modification and the Application (including the NOD and Response) must be placed in the public facility referenced in the legal notice for review by members of the public.

Should you have any questions regarding this letter, please contact Kaylee Daneshmand at (405) 702-5196 or Kaylee.daneshmand@deq.ok.gov.

Sincerely,



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

HY/kd

cc: Sandeep Saraf, P.E., SCS Engineers
Eduardo Choquis, GFL Environmental

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



SOLID WASTE DRAFT PERMIT MODIFICATION

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

Permit Number: 3555050
Permittee: N.E. Landfill, LLC (a subsidiary of WCA of Oklahoma, LLC, a GFL Environmental Company)
Facility: Northeast C&D Landfill
Facility Type: Construction and Demolition (C&D) Landfill
County: Oklahoma County

Modification:

Modify the permit to authorize a lateral expansion of the permit boundary and waste disposal area. The permit boundary will expand from 90.1 acres to 163.3 acres. The waste disposal area will increase from 67.7 acres to 121.2 acres. The modification allows for a new total design capacity of 10,505,939 cubic yards. The maximum permitted height of the landfill will increase from approximately 1,345 feet mean sea level to 1,408.0 feet mean sea level.

Incorporated by Reference:

1. The Tier III Application, submitted by SCS Engineers and stamped by Sandeep Saraf, P.E., on August 18, 2023, dated August 23, 2023 and received by DEQ on August 29, 2023.
2. Certified Mail Notice - Return Receipts received by DEQ on November 17, 2023.
3. The Response to Notice of Deficiency (NOD), submitted by SCS Engineers, dated April 4, 2024 and received by DEQ on April 8, 2024.

Conditions:

1. The expansion area (including Phases 11-17 as depicted in the Application) will not be developed until the Section 404 Individual Permit is approved by the U.S. Army Corps of Engineers, a copy of the approval letter is submitted to DEQ, and DEQ provides written approval to proceed with expansion.
2. The current groundwater monitoring network will be modified to include three (3) new monitor wells (MW-8, MW-9, MW-10) and two (2) existing monitoring wells will be plugged and abandoned in accordance with the applicable requirements of the Oklahoma Water Resources Board (OWRB) at OAC 785:35. Four (4) quarters of statistically independent data are required to be collected for each constituent in accordance with OAC 252:515-9-31 to establish background groundwater quality at each new monitor well.
3. The perimeter gas monitoring system will be modified. Ten (10) additional gas probes will be

SOLID WASTE DRAFT PERMIT MODIFICATION (CONTINUED)

installed according to OAC 252:515-15-4 and OWRB requirements in OAC 785:35. Three (3) existing gas probes will be decommissioned.

4. Within ninety (90) days of installation and decommissioning of the gas probes and groundwater monitoring wells, a construction report with detailed "as-built" drawings must be submitted to DEQ.
5. DEQ shall be notified at least two (2) weeks before liner construction for each cell in the expansion. The notification shall include all items outlined in OAC 252:515-11-5(a). Additionally, DEQ shall be notified at least forty-eight (48) hours in advance of the pre-construction meeting. The pre-construction meeting shall be held at the facility with the design engineer and quality assurance and quality control officials before liner construction begins.
6. A Liner Installation and Testing (LIT) report shall be submitted to DEQ at the completion of construction of each cell in the expansion. The LIT report shall include "as-built" drawings and all required information specified in OAC 252:515-11-6, including but not limited to: soil testing results and top of liner elevations along with separation distances from groundwater.
7. Placement of waste on the liner system of a new cell within the expansion shall not occur until after DEQ has inspected the liner and provides written authorization to commence waste disposal in accordance with OAC 252:515-11-7.
8. N. E. Landfill, LLC shall report to DEQ any noncompliance which may endanger human health or the environment. Any such information shall be reported orally within twenty-four (24) hours from the time the landfill becomes aware of the circumstances; and a written Incident Report shall be submitted within five (5) days.
9. 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 N.E. Landfill, LLC the amendment, modification, or revocation of this permit modification.
10. N.E. Landfill, LLC shall comply with the Oklahoma Solid Waste 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.

SOLID WASTE DRAFT PERMIT MODIFICATION (CONTINUED)

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.

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

Date: _____

Kelly Dixon
Division Director
Land Protection Division

Date: _____

Robert Singletary
Executive Director
Oklahoma Department of Environmental Quality

Date: _____

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 2nd 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.