

DOCKET TG-072226

EXHIBIT A  
TO  
DECLARATION OF LARRY FULCHER



*Attachment GEP*

**DEPARTMENT OF BUILDING AND PLANNING**

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**Board of County Commissioners**  
Kathleen A. Johnson    District 1  
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Jeff Rasmussen        District 3

**2006 OPERATING PERMIT  
FOR  
WEYERHAEUSER REGIONAL  
LIMITED PURPOSE LANDFILL  
AND  
MATERIAL RECOVERY FACILITY**

This action is based upon the authority to issue a solid waste handling permit by the Cowlitz County Department of Building and Planning (CCB&P) based on RCW 70.95.170 and RCW 70.95.180. On October 5, 1992, a Memorandum of Agreement (MOA) was initially signed with the Washington State Department of Ecology (DOE). This permit is a renewed permit based on the first permit issued by Ecology in response to the solid waste handling facility permit application submitted by the Weyerhaeuser Company on August 13, 1990, supplemented June 12, 1991, and on December 21, 1992 (the "Application").

All activities allowed by this Permit will be conducted in conformance with the Application and related documents; requirements, limitations, and conditions set forth in this and all other required permits, certifications and/or approvals; and all federal, state and local law and regulations.

Pursuant to the terms and conditions set forth in the MOA, DOE supervised the establishment and construction of the Facility prior to operation of Cell #1, following which the CCB&P assumed ongoing responsibility for supervision and enforcement of the operation of the Facility.

In granting the initial Permit, the Department of Ecology also granted the October 12, 1992 request for a variance to the wetland citing prohibitions in WAC 173-350-400 (2) (c) [formerly WAC 173-304-130(2)(e)] as allowed under WAC 173-350-710 (formerly WAC 173-304-700). This variance is to be considered permanent in nature and shall not have to be renewed at any time during the life of the Facility. In reaching this conclusion, the Department of Ecology has found that issuance of the variance will not endanger public health, safety, or the environment; and denial of the variance will not result in equal or greater benefit to the public.

This Permit may be suspended or revoked pursuant to the terms set forth in Part 4.1 herein. If the Permit is suspended, revoked, or modified, the holder of the permit may appeal the action pursuant to the terms of the Permit, RCW 70.95.210, and the Cowlitz County Department of Building and Planning Solid Waste Ordinance.

This Permit is transferable only upon written approval by CCB&P. Before receiving such approval, the prospective transferee must demonstrate its ability to comply with laws, regulations and Permit conditions applicable to the Weyerhaeuser Regional Landfill. This Permit shall be renewed annually in conformance with Part 4.0.

## **Part 1.0 Facility Description**

The Facility is located approximately 5 miles east of Interstate 5 and 1.8 miles south-southeast of Silver Lake, Washington in Cowlitz County. The footprint of the Facility will eventually cover 308 acres, plus additional area for ancillary facilities. The Facility is permitted for a total of 50 million cubic yards of capacity.

## **Part 2.0 Performance Standards**

All performance standards for existing facilities shall meet the requirements of WAC 173-350-040.

Performance Standards:

- a. Design, construct, operate, and close all facilities in a manner that does not pose a threat to human health or the environment;
- b. Comply with RCW 90.48 Water pollution control and implementing regulations, including WAC 173-200 Water quality standards for ground waters of the state of Washington;
- c. Conform to the approved local comprehensive solid waste management plan prepared in accordance with RCW 70.95 Solid Waste Management—Reduction and Recycling, and/or the local hazardous waste management plan prepared in accordance with RCW 70.105 Hazardous waste management;
- d. Not cause any violation of emission standards or ambient air quality standards at the property boundary of any facility and comply with RCW 70.94 Washington Clean Air Act; and
- e. Comply with all other applicable local, state, and federal laws and regulations.

## **Part 3.0 Design and Construction Requirements**

### Subpart 3.1 Design and Construction Changes Required As of Adoption of WAC 173-350.

All applicable design and construction standards for existing facilities shall meet the requirements of WAC 173-350. Design standards for new construction of facilities or solid waste handling units at existing facilities shall meet the requirements of WAC 173-350.

### Subpart 3.2 General Design and Pre-Construction Requirements

Permittee shall design and construct landfill support facilities, landfill cells, leachate pond, and landfill final closures in accordance with applicable portions of WAC 173-350-330 (formerly WAC 173-304-430) and WAC 173-350-400 (formerly WAC 173-304-460(5)) or subsequent rules and regulations promulgated by DOE and CCB&P Solid Waste Ordinance which pertain to limited purpose landfills. General design and pre-construction requirements are specified within the Solid Waste Permit Application (Part 2) developed for the Facility and submitted to DOE, dated December 21, 1992.

### Subpart 3.3 Final Design and Construction Requirements

During future construction, the Permittee shall abide by the following conditions:

- a. Permittee shall submit two (2) copies of the final construction design and specifications for cell construction, environmental monitoring systems, ancillary facilities or closure of cells to CCB&P at least sixty- (60) days prior to proposed construction. Construction is defined as any activity involving landfill cells, ancillary facilities, final closure, or environmental monitoring systems.
- b. Two (2) copies of the final construction quality assurance (CQA) plan shall be submitted to the CCB&P at the same time as the final construction plans and specifications unless existing documents can be used and are acceptable to the CCB&P.
- c. Cell construction and final cover construction shall receive CQA monitoring under the direction of an engineer, registered in the State of Washington, qualified and experienced in such work, in accordance with the approved CQA plan. CQA shall be performed by independent engineers not affiliated with the Permittee or installation contractor. The construction observations, monitoring, testing, and record drawings for all construction shall be documented in a report stamped by the engineer that certifies that the construction was performed in accordance with the approved design. After completion of construction, two copies of this report shall be submitted to the CCB&P.
- d. CCB&P reserves the right to enter and to have on site during construction, a representative from CCB&P to inspect all activities associated with the construction. Upon entering the Facility, CCB&P's representative shall comply with all site safety procedures. DOE's and/or CCB&P's representative shall not be prevented in any manner from acquiring physical samples or examining construction documents for the purposes of independently conducting CQA analysis. All sample collection and analysis conducted by CCB&P will be performed in accordance with the approved CQA plan. Permittee shall be afforded the opportunity to collect duplicate or split samples.
- e. During construction and throughout operation, the Permittee shall retain approximately 6 acres of trees northwest of the landfill footprint between the rail transfer Facility and the Woods railroad mainline, to screen views of landfill support facilities from the closest viewpoints along South Silver Lake Road; provided, however, that Permittee may selectively harvest trees in this area and place stakes and guy wires to facilitate tree harvest in adjacent areas as long as the integrity of the visual screen is maintained throughout the active and post closure life of the landfill.
- f. During construction and throughout the active and post closure life of the Facility, signs stating the name of the Facility, emergency phone number, and a statement that the Facility is not open to the public shall be posted at the landfill entrance.
- g. Permittee shall construct a temporary fence to control animal and human access to the active landfill area and a permanent fence to control animal and human access to the leachate holding pond. If during the operation of the Facility, it is found that birds are contaminating the clean water stored in the Facility's segmented leachate pond, the Permittee shall take steps to deter and prevent such contamination.

#### **Part 4.0 Environmental Monitoring Compliance**

##### **Subpart 4.1 Environmental Monitoring Changes Required As of Adoption of WAC 173-350.**

Environmental monitoring shall meet the requirements of WAC 173-350.

#### Subpart 4.2 Surface Water Monitoring

Surface water quality monitoring shall be maintained upon issuance of this Permit to provide for background information for early detection of potential contamination during both construction and operation of each cell. This monitoring shall continue through any construction period, as well as throughout operation in compliance with Part 9.0 of this Permit.

#### Subpart 4.3 Ground Water Monitoring

Ground water quality monitoring, in accordance with WAC 173-350-500, shall be maintained upon issuance of this Permit to provide background information for early detection of potential contamination during both construction and operation of each cell. This monitoring shall continue through any construction period as well as throughout operation in compliance with Part 9.0 of this Permit.

### **Part 5.0 Operational Activities**

#### Subpart 5.1 Operational Activity Permit Changes Required As of Adoption of WAC 173-350.

All applicable operational standards, including modification of the plan of operation, shall meet the requirements of WAC 173-350.

#### Subpart 5.2 Operational Activities

Part 5.0 of this Permit, along with practices specified in the Application and related documents, is designed to provide the Permittee with the specific conditions under which operation of the Facility may continue.

Concurrent with Permittee's request to CCB&P with certification of satisfactory completion of the establishment and construction activities of future construction set forth in Part 3.0 of the Permit, Permittee shall also submit to CCB&P a written request, along with such supporting evidence as CCB&P may require, for certification that Permittee is in compliance with the Operational Activities set forth in Part 5.0 of this Permit and the Operations Plan contained in the Application and that Permittee is approved to commence disposal activities in each new cell at the Facility. Upon satisfaction that Permittee has or will be in satisfactory compliance with the requirements of Part 5.0, CCB&P shall issue written approval of the same, authorizing Permittee to commence disposal activities in each new approved construction.

### **Part 6.0 Waste Acceptance and Disposal Limitations**

#### Subpart 6.1 Definition of Acceptable Waste

The Permittee is authorized to accept for disposal, solid waste as specified in the Application; as allowed by other required permits, certifications or approvals; and as defined in WAC 173-350 or other regulation which may supersede WAC 173-350, resulting from the forest products, manufacturing, construction and demolition. This includes wood chips and fines, log sort yard debris, boiler ash, pulp mill lime waste, wastewater treatment solids, pulp chip washer fines, paper recycling reject fiber wastes, polyethylene waste, and debris from land clearing, building and pavement demolition or construction, petroleum

contaminated soils, and other miscellaneous Industrial solid waste as defined in WAC 173-350-100. The Permittee is authorized to dispose of "bag-house sand" as a designated waste. Approval for a new waste stream (industrial waste-poultry feathers) has been authorized. To the extent that new or different wastes than those listed above are generated by forest products manufacturing or construction and demolition, prior to disposal at the Facility, the Permittee shall first file with the CCB&P documentation that each such waste has been properly designated in accordance with WAC 173-303 and this permit. Any other solid wastes may be accepted for disposal at the Facility only upon the prior written concurrence of the CCB&P. The Permittee is prohibited from accepting for disposal any regulated asbestos-containing material (RACM), as defined under Federal 40 CFR Part 61 and the Dangerous Waste Regulation, WAC 173-303, liquid wastes and any "hazardous waste" or dangerous waste", as those terms are defined in WAC 173-303, and "household waste", as that term is defined in 40 CFR § 258.2. Waste material described previously in this subpart is to be defined as "acceptable waste".

The following are other restrictions:

- a) Handling of petroleum contaminated soils, including usage and disposal must comply with the WDOE guidelines titled "Guidelines For Remediation of Petroleum Contaminated Soils", dated April 1994 and hereafter amended; WAC 173-350; air pollution control authority requirements, and any other applicable requirements.
- b) Handling of treated wood, including usage and disposal must comply with the treated wood exclusions amended to the Washington State Dangerous Waste Regulations, WAC 173-303-7(g)(i) and WAC 173-303-071(g)(ii).
- c) New and existing waste stream handling and disposal alternatives and methods must comply with the most recent Cowlitz County Comprehensive Solid Waste Plan and hereafter amended, and any other applicable regulations.

#### Subpart 6.2 Waste Disposal Limitations

Material, which meets the definition of acceptable waste in Subpart 6.1, may be disposed of at the landfill subject to the following conditions:

- a) Rail hauling will be the primary mode of transportation to the Facility. All waste received at the Facility shall be in conformance with all applicable present and future state or federal laws or regulations governing waste reduction or recycling and solid waste disposal. Truck deliveries directly to the Facility are allowed under the following conditions:
  - i) Truck hauling shall be permitted only during approved hours and days of operation: Monday thru Saturday, 6 AM – 7PM
  - ii) Truck hauling is approved for an average of 15 trucks per day, based on 6-day week operations (Monday thru Saturday), not to exceed 30 trucks per day or 90 per week.
  - iii) Waste acceptance criteria shall be consistent with the Operating Plan and Solid Waste Handling Operating Permit.
  - iv) Records shall be kept of waste streams, sources, and tonnage delivered by truck.
  - v) Operations involving truck delivery to the landfill shall be in compliance with the Solid Waste Handling Permit.
  - vi) Waste delivered to the landfill shall comply with all applicable state, federal, and local regulations governing solid waste reduction, recycling, and disposal and the Cowlitz County Solid Waste Management Plan.
  - vii) The operation plan shall be updated accordingly.

- viii) Additional approval conditions may be required by the Department of Ecology upon review.
- b) Permittee shall ensure that all waste to be disposed of at the Facility is properly designated in accordance with WAC 173-303.
- c) All waste disposed of at the Facility shall first be subjected to, and pass a waste inspection and acceptance review designed to prevent dangerous or hazardous waste or household waste, or any other unpermitted waste as defined herein, from being disposed of at the landfill. Such program shall include, at a minimum, the following:
- i) Permittee shall advise all waste generators of Permittee's waste acceptance criteria and require such generators to pre-qualify their waste and management procedures to conform to such criteria. Permittee shall supply generators with information describing acceptable and restricted wastes and shall ensure compliance with waste characterization and designation.
  - ii) By April 1<sup>st</sup> of each year, Permittee shall demonstrate to the CCB&P that all waste imported from Permittee-owned facilities outside Cowlitz and Wahkiakum Counties are properly designated as solid waste and meet the above conditions. Annual quantities of imported waste, types, tonnages, and sources shall be reported to CCB&P, when applicable, as described by the Cowlitz County Solid Waste Management Plan.
  - iii) Operating personnel engaged in waste disposal activities at the Material Recovery Facility and the Weyerhaeuser Regional Landfill Facility must be trained, in accordance with the Operations Plan, to identify unacceptable waste and implement waste rejection procedures. At all times of operation, at least one of the Permittee's operating personnel shall be certified, consistent with RCW 70.95D.
  - iv) Permittee shall maintain records on the sources, types and tonnages of waste received at the Facility, waste rejection reports, reports of special incidents such as emergencies, injuries and safety violations, personnel training and certification records, and environmental monitoring results.
  - v) Permittee shall audit the effectiveness of its waste inspection and acceptance program on a biannual basis. The results of that audit shall be included biannually with the annual report required under Subpart 8.2. All audits and reports shall be submitted to both the Cowlitz County Department of Building and Planning and the Southwest Regional Office of the Washington State Department of Ecology.

## **Part 7.0 Operation and Transportation Conditions**

### **Subpart 7.1 Operational Changes Required As of Adoption of WAC 173-350.**

All applicable operational standards, including modification of the plan of operation, shall meet the requirements of WAC 173-350.

## Subpart 7.2 Operational Conditions

All operational and maintenance activities conducted at the Facility shall be in conformance with the Operations Plan and are subject to the following conditions:

- a) Permittee shall operate the disposal facility no earlier than 6 a.m. and no later than 7 p.m., Monday through Saturday. The only exemptions shall be for environmental monitoring activities or activities considered being of an emergency nature.
- b) The Permittee may dispose of up to 1,000,000 cubic yards of acceptable waste per year in areas approved for waste disposal. Up to 35% of the annual waste stream may be imported, non-Weyerhaeuser waste. Annual waste acceptance beyond 1,000,000 cubic yards requires a permit modification.
- c) Permittee shall limit the active area of landfill face to approximately 5 acres and shall make use of interim vegetated soil and/or interim plastic in order to minimize leachate production. However, the permittee shall be allowed to expand the active area of the landfill face to 10 acres during the dry summer months (i.e. May through September) to prepare a 5-acre operational area for wet weather operations.
- d) Permittee shall not dispose of any waste material that may pose a risk to the integrity of the liner within the first 5 feet of the fill. This could consist of waste materials larger than one foot in any direction and a shape or characteristic making it a risk to the liner (i.e. long slender pieces of wood, rubble with exposed rebar or conduit).
- e) Permittee shall ensure that all runoff from temporary or final closed areas, stockpiles, borrow areas and support facilities at the Facility are collected in ditches around these areas and are routed to the stormwater sedimentation/detention basins. Permittee shall minimize the sediment load to the stormwater treatment system by complying with the fugitive dust measures set forth in Paragraph "g" below and the Stormwater Management Manual for the Puget Sound Basin. Exposed soil areas shall be hydro-seeded to the extent practicable before October 15, covered with plastic, straw or other suitable erosion control material during the winter and spring months. Permittee shall contain all runoff coming in contact with wastes, so that it can be collected as leachate.
- f) During the months in which the early mornings and early evenings are dark (before sunrise and after sunset, but after 6 a.m. and before 7 p.m.), Permittee may use portable, directional light fixtures. Permittee shall shield light downward to the area where needed, to the south and east whenever possible.
- g) Permittee shall follow the standard fugitive dust and erosion control measures developed by EPA and DOE, including watering both paved and unpaved roads, planting exposed areas with vegetative cover, watering exposed areas during dry periods, limiting unnecessary traffic, aligning stockpiles with their longitudinal axis parallel with the prevailing wind direction, and wind screening stockpiles.
- h) Permittee shall maintain a permitted or approved on-site water source for fire suppression and dust control and shall ensure that landfill operations personnel have adequate training and equipment to control fires as approved by the State and local fire control jurisdictions.



- i) Permittee shall inspect and maintain leachate systems, storm water controls, and miscellaneous facilities in accordance with the Operations Plan. The inspections shall be recorded on the Inspection Checklist provided in the Operations Plan.
- j) Fluid levels on both Cell 1 and Cell 2 secondary containment liners for the purpose of primary liner leak detection will be monitored monthly and samples collected and analyzed pursuant to the Operations Plan utilizing the same parameters as specified for ground water monitoring under Subpart 9.3.  
  
Fluid level on the north and south leachate ponds secondary containment liners will be pumped and analyzed semi-annually in the first and third quarters utilizing the same parameters as specified for ground water monitoring under Subpart 9.3.
- k) Prior to any construction of new landfill cells, landfill support facilities, railroad transfer station, leachate pond or sedimentation basins at the Facility, the Permittee shall obtain written approval for such action from the CCB&P. Procedures shall be similar to that specified in Part 3.0 of this Permit.
- l) Temporary stock piling of clean inert construction, demolition waste and chipped tires may be allowed outside of the active cell or active area in a designated area.
- m) Appropriate measures must be taken to control disease vectors, nuisance odors, and blowing litter.

### Subpart 7.3 Transportation Conditions

The following conditions are designed to ensure that all waste transported to the Facility for final disposal or leachate transported to the Permitted wastewater treatment facility at the Permittee's Longview Mill complex in Longview, Washington is done so with minimal impact to the environment. In order to accomplish these goals, the Permittee shall comply with the following transportation conditions:

- a) Prior to the commencement of waste being transported either to or from the Facility, the Permittee shall maintain the Emergency Response Plan published in the Facility's Operations Plan. Permittee shall maintain trained personnel to respond to spills in accordance with the Operations Plan.
- b) Waste deliveries to the Facility shall follow the guidelines as outlined in Subpart 6.2 (a).
- c) Permittee shall operate no more than 2 round-trip waste trains per day to or from the Facility unless otherwise approved by the CCB&P.
- d) Containers shall be periodically cleaned to minimize odors and other nuisances. All waste shall be shipped in leak resistant containers. Uncovered containers must comply with the following until further notice:
  - i) No instances of waste spillage or odor problems outside the containers are permitted during rail storage and transport.

- ii) No signs of blowing material, even during the dryer summer months and high wind periods, must be evident.
  - iii) If waste spillage or an outside odor problem occurs from wastes inside containers, the spilled or odor problem waste must be covered in the future or other appropriate measures must be provided that will prevent spillage or odor nuisances.
  - iv) Containers must be closely observed for any signs of blowing material, particularly during the drier months and high wind periods.
- e) Except in emergencies, all collected leachate shall be sent to the Longview Mill in rail tank cars for treatment in the existing wastewater treatment system. Permittee shall use so-called "105" tank cars (cars meeting the performance requirements of CCB&P letter dated July 15, 1999) for the transport of leachate from the Facility. During emergencies, Permittee may use "111" tank cars or maximum 7,000 gallon capacity trucks to transport leachate to the mill, but only after both the CCB&P and DOE have been notified and CCB&P approved the usage.
  - f) Emergencies are defined as "in excess of 3 million gallons inventory with an extended weather forecast calling for continued rains" or "other emergencies" reviewed and approved by the CCB&P and DOE.

#### Subpart 7.4 Additional Conditions-Storage of Clean Water in the Leachate Pond

Subject to the applicable state water use laws and regulations, during dry portions of the year, for dust and fire control, one-half of the segmented leachate pond may be periodically used for storage of uncontaminated water obtained from surface and/or groundwater sources subject to the following restrictions:

- a) Prior to release of any uncontaminated water stored in the segmented section of the leachate pond, the water will be tested according to the conditions of subpart 9.2 of this permit. The results of this testing shall be compared to the last quarterly results obtained from sampling of surface water near the landfill. Not less than five (5) days prior to releasing uncontaminated water from the segmented section of the leachate pond, Permittee shall provide CCB&P and DOE with written notice and copies of the results of tests performed on the water unless other methods are approved by CCB&P.
- b) Use of the segmented section of the pond shall be consistent with the Operations Plan.

### **Part 8.0 Record keeping and Reporting Conditions**

#### Subpart 8.1 Record keeping Requirements

In order to ensure that the conditions of this Permit are met, the Permittee shall operate the Facility, keep records, and perform reporting in accordance with the Operations Plan conforming to WAC 173-350-400 (4)(f) or regulations that may supersede WAC 173-350, as approved by CCB&P and as amended when necessary. Variations, updates, and amendments to elements of the Operations Plan may be allowed

without permit modification, so long as the CCB&P approves them in writing. Permittee shall maintain the following records at the Facility for inspection by site or agency personnel during operating hours:

- a) The permit history, including the application, original permit, permit renewals, permit modifications and all correspondence directly relating to variations from the permit conditions, but not requiring a permit modification as approved by the CCB&P or DOE.
- b) Other Facility operating or construction permits, certifications and/or approvals.
- c) Final Environmental Impact Statement.
- d) Up to date Facility Operations Plan.
- e) Set of as-built drawings, construction specifications, and construction certification reports for all constructed elements of the landfill and ancillary or support facilities.
- f) Daily waste receipts by waste source, type and tonnages, summarized monthly and yearly.
- g) Daily record of leachate level in the leachate pond and volumes of leachate hauled from the Facility.
- h) Inspection Checklists.
- i) Environmental monitoring records described in Section 9.0 of this Section.

#### Subpart 8.2 Reporting

Permittee shall prepare and submit a copy of an annual report to both DOE and CCB&P by April 1<sup>st</sup> each year, except as indicated below. The annual report shall include:

- a) Summary of waste type and tonnages, by source received at the Facility.
- b) Summary of leachate volumes and quality.
- c) Summary of landfill capacity used, capacity remaining and estimated timing before next landfill cell construction.
- d) Financial assurance in compliance with WAC 173-350-400 and WAC 173-350-600 or subsequent regulations, which may supersede WAC 173-350, must be submitted by April 1<sup>st</sup> or within a time limit approved by CCB&P.
- e) Summary of results of environmental monitoring from Part 9.0 of this Section.

### **Part 9.0 Environmental Monitoring for Operation and Post Closure**

#### Subpart 9.1 Environmental Monitoring Changes Required As of Adoption of WAC 173-350.

All applicable environmental monitoring standards for existing facilities shall meet the requirements of WAC

173-350. All new facility and/or solid waste handling units shall meet the environmental monitoring requirements of WAC 173-350.

### Subpart 9.2 Surface Water Monitoring

Surface water quality monitoring shall continue from the establishment and construction phase of the Facility through both its operational and post closure life. The purpose of the following conditions is to provide for early detection of potential contamination originating from the Facility into nearby surface water bodies. In order to accomplish this task, the Permittee shall abide by the following conditions:

- a) Surface water will be monitored on a quarterly basis.
- b) Surface water shall be collected from the southern tributary of Sucker Creek at a location approximately 100 feet upstream from Weyerhaeuser Road 1310. Upon construction of future landfill cells in Basins 2 and 3, two additional monitoring locations shall be sampled. These future-monitoring locations will be in the two northerly flowing drainages to Sucker Creek, approximately 100 feet upstream from the railroad grade.
- c) All surface water samples will be analyzed for the following parameters:

Temperature	Specific Conductance	pH	Turbidity
Dissolved Oxygen	Chloride	Ammonia	Total Organic Carbon
- d) CCB&P, with consultation and approval from DOE, may modify, increase or reduce the amount of analysis, provided the Permittee is given ten days notice and written rationale for the action. With adequate justification, the Permittee may request modification of monitoring requirements.
- e) All sampling is to be conducted in conformance with a CCB&P approved sampling and analysis plan, as part of the overall Operations Plan and future plans. Monitoring requirements of other Permits, certifications and/or approvals shall be fulfilled by this plan. To the maximum extent practical, CCB&P and DOE shall be given prior notice of each quarterly sampling event and may observe and/or take split samples upon request during any sampling event. CCB&P notification can occur by sampling schedule, phone or other methods acceptable to CCB&P.

### Subpart 9.3 Ground Water Monitoring

Ground water quality monitoring shall continue from the establishment and construction phase of the landfill through both its operational and post closure life. The purpose of the following conditions is to provide for early detection of potential contamination originating from the landfill into nearby aquifer systems. In order to accomplish this task, the Permittee shall abide by the following conditions:

- a) Ground water will be monitored on a quarterly basis.
- b) Ground water monitoring will be conducted at locations specified in the application and Approved Ground Water Monitoring Plan. All monitoring sampling point locations shall have a separate identification number or letter throughout the life of the site, including post closure.

- c) All groundwater sampled shall be analyzed for the following parameters:

Temperature	Specific Conductance	pH
Chloride	Total Dissolved Solids	Sulfate
Ammonia	Total Organic Carbon	

- d) CCB&P may modify, increase, or reduce the amount of analysis, provided the Permittee is given ten (10) days notice and written rationale for the action. With adequate justification, the Permittee may request modification of monitoring requirements.
- e) All sampling is to be conducted in conformance with CCB&P approved sampling and analysis plan as part of the overall Operations Plan. Monitoring requirements of other Permits, certifications and/or approvals shall be fulfilled by this plan. To the maximum extent possible, CCB&P and DOE shall be given prior notice of each quarterly sampling event and may observe and/or take split samples. CCB&P notification can occur by sampling schedule, phone or other methods acceptable to CCB&P.

#### Subpart 9.4 Leachate Monitoring

In order to identify potential leachate-derived contaminants that may be detected by the hydraulic gradient control system and the ground water monitoring systems, monitoring of the leachate quality from the Facility is to be accomplished under the following conditions:

- a) Sampling and analysis of the landfill leachate shall be accomplished semi-annually during the first and third quarter of each year. CCB&P may increase the frequency of sampling as indicated below.
- b) Discrete samples of leachate will be collected from leachate sumps in each of the active leachate drainage basins and transferred to laboratory-supplied containers in accordance with CCB&P approved sampling plan.
- c) Leachate samples will be analyzed for the following parameters:
- |  |                            |                      |
|--|----------------------------|----------------------|
| Tannin                                     | Lignin                     | pH                   |
| Temperature                                | Specific Conductance       | Chloride             |
| TDS  | Ammonia                    | Total Organic Carbon |
| Sulfate                                    | Volatile Organic Compounds |                      |
| Inorganic Priority Pollutants              |                            |                      |
| Base Neutral/Acid                          |                            |                      |
| Semi-volatile Organic Compounds            |                            |                      |
| Petroleum Hydrocarbon by WTPH-G and WTPH-D |                            |                      |
- d) The CCB&P may modify, increase, or reduce the amount of analysis, provided the Permittee is given ten (10) days notice and written rationale for the action. With adequate justification, the Permittee may request modification of monitoring requirements.
- e) All sampling is to be conducted in conformance with CCB&P approved sampling and analysis plan as part of the overall Operations Plan. Monitoring requirements of other Permits, certifications and/or approvals shall be fulfilled by this plan.

### Subpart 9.5 Hydraulic Gradient Control System Monitoring

The hydraulic gradient control system shall be monitored pursuant to the Operations Plan and under the following conditions:

- a) Samples collected from the hydraulic gradient control system shall be monitored on a quarterly basis, which coincides with both the surface and ground water monitoring activities.
- b) Samples shall be collected at each of the hydraulic gradient control discharge pipes, if flow is present. All HGCS discharge pipes shall have an identification number or letter throughout the life of the site.
- c) Samples shall be analyzed for the following parameters:

Temperature	Specific Conductance	pH
Chloride	Total Dissolved Solids	Sulfate
Ammonia	Total Organic Carbon	
- d) DOE or CCB&P may modify, increase, or reduce these monitoring requirements, provided the Permittee is given ten days notice and written rationale for such action. With adequate justification, the Permittee may request modification of these requirements.
- e) All sampling is to be conducted in conformance with CCB&P approved sampling and analysis plans, as part of the overall Operations Plan. Monitoring requirements of other permits, certifications and/or approvals shall also be addressed in this plan. To the maximum extent practical, CCB&P and DOE shall be given prior notice of each quarterly sampling event and may observe and/or take split samples. CCB&P notification can occur by sampling schedule, phone, or other methods acceptable to the CCB&P.

### Subpart 9.6 Landfill Gas Monitoring

Landfill gas shall be monitored at the landfill in order to provide for early detection of gas generation and migration, which may cause a hazard to both on and off site facilities and structures. Gas monitoring is to be accomplished according to the following conditions:

- a) The leachate collection system, the leachate sumps and gas collection system shall be monitored for landfill gas on a quarterly basis to determine if gas is accumulating in these areas.
- b) To assure than landfill gas is not migrating off the landfill boundary, landfill gas shall be monitored at the outlets of the hydraulic gradient control system pipes on a quarterly basis as described in the Operation Plan.
- c) The landfill area and perimeter shall be monitored for landfill gas.
- d) If methane concentrations are found to be at or above 25 percent of the lower explosive limit (LEL), the Permittee shall submit a corrective action plan within 5 days of the discovery.

- e) The property boundary shall be monitored for nuisance odors during low wind conditions. If significant nuisance odors are discovered, Permittee shall modify its operations so as to reduce odor impacts.
- f) A record of the gas monitoring results shall be included in the annual report.
- g) The Permittee shall comply with all OSHA and WISHA requirements at the facility.

#### Subpart 9.7 Other Facility Monitoring

All equipment, activities and overall operation of the Facility shall be monitored and inspected for maintenance and repair purposes, as described and scheduled in the Application, Operations Plan and conditions of this Permit.

### **Part 10.0 - Closure and Post Closure Activities**

#### Subpart 10.1 Closure and Post Closure Planning Changes Required As of Adoption of WAC 173-350

All applicable closure and post closure planning standards for existing facilities shall meet the requirements of WAC 173-350.

#### Subpart 10.2 Closure and Post Closure Design

The final closure and post-closure design and schedule of implementation shall be provided in accordance with WAC 173-350-400 (6) & (7) for the existing facility and solid waste-handling units within the facility. Closure and post closure requirements for facility closures or facility unit closures completed prior to February 10, 2003, shall meet the requirements of WAC 173-304 and the Solid Waste Permit Application (Part 2) submitted to DOE dated December 21, 1992.

#### Subpart 10.3 Specific Closure and Post Closure Conditions

Permittee shall close and reclaim each landfill cell pursuant to the approved closure plan for the landfill. The plantings may include diverse grass/or seed mix of native species, shallow rooted shrubs and limited areas of mixed forest. In all cases, the topsoil must be deep enough to ensure the integrity of the cover system. Areas of the final cover that will receive trees must be covered with an additional topsoil thickness equal to the maximum expected rooting depth or the maximum diameter of the root ball, whichever is greater. The final cover must be designed to allow for strains and grade changes caused by potential differential settlement caused by the weight of additional soil and trees.

- a) Before placing the final cover, Permittee shall install horizontal trenches with perforated gas vent pipes or other gas collection system approved by CCB&P, in the last lift of waste. Permittee shall implement an approved active gas control and incineration system, if required by the Southwest Clean Air Agency.
- b) Final overall side slopes shall be no greater than 4.5:1 or approved by CCB&P (horizontal: vertical). Local areas may be as steep as 3:1, as long as the overall slope measured from toe to crest is no greater than 4.5:1. The minimum allowable cover slope is 2 percent. The

slopes must have benches every 50 vertical feet to control surface water runoff. The maximum elevation at the landfill shall be no greater than 1,250 feet.

- c) Permittee shall conduct post-closure maintenance and monitoring of landfill for a minimum of 20 years after final closure of the entire facility, or as long as necessary for the landfill to stabilize and to protect human health and the environment, as required in WAC 173-350-400(7)(a).

### **Part 11.0 Permit Renewal**

The Permit shall be renewed annually by CCB&P, pursuant to the terms and conditions set forth in RCW 70.95.190 and WAC 173-350-710 (3), as now in effect or hereafter amended. CCB&P shall conduct a review, including an inspection, prior to permit renewal to determine that the facility and operations continue to meet permit requirements. CCB&P shall approve or deny a permit renewal within forty-five (45) days of conducting its review.

Once issued by the CCB&P, permit shall be reviewed by the Department of Ecology in accordance with RCW 70.95.185. The Department of Ecology shall report its findings in writing to Cowlitz County within 30 days of permit issuance and may appeal the permit issuance by CCB&P to the Pollution Control Hearings Board.

### **Part 12.0 Permit Suspensions and Denials**

This Permit shall be subject to denial or suspension by CCB&P, at any time CCB&P determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this permit, RCW 70.95, WAC 173-350, or Cowlitz County regulations governing solid waste.

Whenever CCB&P denies or suspends a permit for a solid waste facility, it shall, upon request of the applicant or holder of the permit, grant a hearing on such denial or suspension within thirty- (30) days after the request therefore is made. Notice of the hearing shall be given to all interested parties, including Cowlitz County and the Department of Ecology. Within thirty days after the hearing, the director of CCB&P shall notify the applicant or the holder of the permit in writing of his determination and the reasons therefore. Should the Permittee be aggrieved by the decision of the CCB&P, pursuant to RCW 70.95.210, the permittee may appeal to the pollution control hearings board by filing a notice of appeal with the hearings board within thirty- (30) days after receipt of the determination by CCB&P. The hearings board shall hold a hearing in accordance with the provision of the Administrative Act, RCW 34.05.

### **Part 13.0 Permit Modifications**

#### **Subpart 13.1 Rule Change Required Permit Modification Dates**

Pursuant to the February 10, 2003 adoption of WAC 173-350, permit modifications shall be initiated by July 10, 2004; performance and design requirements (excluding location and setback requirements for existing facilities) must be met by February 10, 2006, and operating, environmental monitoring, closure and post-closure planning, and financial assurance standards shall comply with WAC 173-350 by February 10, 2005.



### Subpart 13.2 Permit Modifications

Significant changes to the operation, design, capacity, performance or monitoring of this facility may require a modification to the permit or the consent of CCB&P, at the request of either the permit holder or CCB&P. CCB&P shall determine if a new permit application is required based on the extent of the changes needed to bring the facility into compliance. Upon such determination, the owner or operator shall make application if required, for a permit modification, using the process outlined in WAC 173-350-710 (4).

All proposed modifications shall be subject to the review and consent of CCB&P. CCB&P may also modify a permit condition at permit renewal, subject to compliance with applicable regulations. A written description of the proposed changes shall be reviewed by the CCB&P, and if a permit modification is deemed necessary, application procedures of WAC 173-350-400(4) and WAC 173-350-710 (4) are in effect.

CCB&P shall either approve or disapprove Permittee's modification request within thirty- (30) days of its review. Should CCB&P seek to modify this permit, CCB&P must provide Permittee thirty- (30) days advance written notification as to the nature of the proposed modification and the reasons therefore.

If the proposed change does not warrant a permit modification, the changes shall be approved in writing by the CCB&P, and the Department of Ecology shall be notified.

Should Permittee be aggrieved by CCB&P's decision or proposal with respect to a modification of this Permit, Permittee may appeal such decision or proposal in accordance with Cowlitz County solid waste regulations and applicable State Regulations.

Cc: WDOE, SWRO