Creek County Landfill, having complied with the requirements of the law, is hereby granted permission to construct, operate and maintain a material recycling facility located in Creek County, Oklahoma, more particularly described as: N/2 NE/4 SE/4 of Section 28, Township 18 North, Range 12 East: exact descriptions on page 2.

This Permit has been prepared by the Oklahoma Department of Environmental Quality, pursuant to its authority under the Oklahoma Solid Waste Management Act, 27A O.S. §2-10-101 et seq., and the Rules of the Oklahoma Department of Environmental Quality promulgated thereunder. It sets forth conditions and requirements for the construction, operation, and maintenance of the above named Material Recycling Facility. Commencing operations under this permit constitutes acceptance of, and consent to, the conditions contained herein.
The following is the legal description of the Creek County C&D Material Recycling Facility.
The first description (#1) denotes the newly permitted boundary of three acres for the material recycling facility. The second description (#2) contains all the area of #1 and an additional small section of the Creek County Landfill, this being the complete area for the Material Recycling Facility.

#1 Legal description of the newly permitted boundary of three acres for the material recycling facility:
A Track of land located in the North Half of the Northeast Quarter of the Southeast Quarter of Section 28, Township 18 North, Range 12 East of the Indian base Meridian, Creek County, State of Oklahoma described as follows:
Comencing at the Northeast Corner of said N/2 NE/4 SE/4, Thence S 89°45′28″ W a distance of 662.16 feet to the true point of beginning, Thence continuing S 89°45′28″ W a distance of 662.16 feet to the Northwest Corner of the N/2 NE/4 SE/4; Thence S 00°09′37″ E a distance of 189.8 feet to the Northern Right-of-Way line of the Creek Turnpike; Thence N 88°26′24″ E along said Right-of-Way a distance of 662.36 feet; Thence N 00°09′32″ W a distance of 174.47 feet to the point of beginning.

#2 Legal Description of the entire facility:
A Track of land located in the North Half of the Northeast Quarter of the Southeast Quarter of Section 28, Township 18 North, Range 12 East of the Indian base Meridian, Creek County, State of Oklahoma described as follows:
Comencing at the Northeast Corner of said N/2 NE/4 SE/4, Thence S 89°45′28″ W a distance of 662.16 feet to the true point of beginning; Thence N 00°09′32″ W a distance of 50.0 feet; Thence continuing S 89°45′28″ W a distance of 662.16 feet; Thence 00°09′37″ E a distance of 239.8 feet; Thence N 88°26′24″ E a distance of 662.36 feet; Thence N 00°09′32″ W a distance of 174.47 feet to the point of beginning, containing 3 acres more or less.
THIS PERMIT IS BASED ON DATA, DESIGN CRITERIA, PLANS, AND SPECIFICATIONS PRESENTED IN THE CREEK COUNTY C&D MATERIAL RECYCLING FACILITY PERMIT APPLICATION, AS REVISED AND SUPPLEMENTED, WHICH ARE HEREBY APPROVED BY THE DEPARTMENT AND INCORPORATED BY REFERENCE HEREIN. ANY INACCURACIES FOUND IN THE APPLICATION OR SUPPORTING DOCUMENTATION MAY PROVIDE CAUSE FOR POTENTIAL ENFORCEMENT ACTION AGAINST THE CREEK COUNTY LANDFILL AND THE MODIFICATION OR REVOCATION OF THIS PERMIT.

A. PERMIT MODIFICATION SUMMARY

(1) Name of Site: Creek County C&D Material Recycling Facility
(2) Type of Site: Solid Waste Material Recycling Facility.
(3) Name of Applicant, Applicant Representative and Applicant Address:
   Creek County Landfill
   M.L. O’Brien
   PO Box 1597
   Sapulpa, OK 74067
(4) Map and Street Location of Site: 10250 S 33rd W Ave, Sapulpa, OK
(5) Type of Waste(s) to be processed: Construction/demolition waste.
(6) Source(s) of Waste: Tulsa and surrounding areas.
(7) Estimated Tons or Cubic Yards of Waste to be Received Daily: 200 tons/day.
(8) Population or Population Equivalent to be served: 66,500 persons.
(9) Number of Acres in Permitted Boundary: 3 acres more or less.
(10) 100-year flood plain: The proposed site is not located within the 100-year flood plain.
(11) Financial Assurance: to be calculated and completely funded before operations begin.
(12) Estimated Active Life of Site Prior to Final Closure: this permit shall continue in effect until the Department approves the final closure.
B. GENERAL CONDITIONS

(1) Duty to Comply: Creek County C&D Material Recycling Facility shall comply with the Oklahoma Solid Waste Management Act (Act), the Environmental Quality Code (Code) and Rules promulgated thereunder (Rules), including referenced provisions of the Oklahoma Administrative Code, and all conditions of this permit. Any permit noncompliance constitutes a violation of this Permit and is grounds for enforcement action, including permit modification, administrative civil penalties, summary suspension or revocation, and denial of a pending permit application.

(2) Duty to Apply: Creek County C&D Material Recycling Facility shall apply for a permit modification when such application is required by the Rules of the Department.

(3) Need to Halt or Reduce Activity Not a Defense: It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(4) Duty to Mitigate: Creek County C&D Material Recycling Facility shall take all reasonable steps to minimize or correct any adverse impact on the environment and the public health resulting from noncompliance with this permit or site operation.

(5) Proper Operation and Maintenance: Creek County C&D Material Recycling Facility shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by Creek County C&D Material Recycling Facility. Proper operation and maintenance includes effective performance of operations and adequate funding, operator staffing and training, and the provision of appropriate waste-handling equipment.

(6) Duty to Provide Information: Creek County C&D Material Recycling Facility shall furnish to the Department, within a time specified, any information that the Department may request to determine:

(a) Whether cause exists for modifying, amending, suspending, or revoking this permit;
(b) Compliance with this permit;
(c) Whether a new or modified permit should be issued.

Creek County C&D Material Recycling Facility shall also furnish to the Department, upon its request, copies of records required to be kept by the Rules.

(7) Inspection and Entry: Creek County C&D Material Recycling Facility shall allow authorized representatives of the Department, upon the presentation of credentials as may be required by law, to:

(a) Enter upon the permitted site or where records required by this permit are kept;
(b) Inspect at reasonable times any site construction, waste management or disposal operation; and
(c) Sample or monitor, for the purpose of assuring compliance with this permit, any substances or parameters at any location.

(8) Records: Creek County C&D Material Recycling Facility shall keep on file at its central office this permit and permit application and copies of all:

(a) As-built facility construction plans, drawings and specifications;
(b) Repair and maintenance records;
(c) All monitoring data when monitoring is required;
(d) A daily log to record operational information, including the quantity of refuse received and the quantity of out of state waste received;
(e) Reports filed with the Department; and
(f) Closure records.

(9) Reporting Requirements: Creek County C&D Material Recycling Facility shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility and of any planned changes in the permit or activity that may result in noncompliance with permit requirements. In the event that Creek County C&D Material Recycling Facility becomes aware that it failed to submit any relevant facts or submitted incorrect information in the permit application or in any report to the Department, it shall promptly submit correct facts or information. Failure to make a prompt submission is grounds for an enforcement action and for the modification or revocation of this permit.

(10) Transfer of Permit: This permit may not be transferred to any other person except after notice to and approval of the Department. No transfer will be approved until the applicant complies with all transfer requirements in the Rules.

(11) Corrective Action Requirement: Creek County C&D Material Recycling Facility shall conduct corrective action if inspection of the site or any monitoring results indicate the potential for or actual release of contaminants into the environment.

(12) Consent to Conditions: Commencing work under this permit will constitute consent to all permit conditions.

C. CONSTRUCTION CONDITIONS

(1) Construction Authorization: Creek County C&D Material Recycling Facility shall be constructed in accordance with the data, design criteria, plans, and specifications in the permit application, the Act and Rules.

(2) Construction of Surface Water and Runoff Controls: Creek County C&D Material Recycling Facility shall construct and maintain the site as specified in the permit application to control surface water drainage and runoff at the site.

(3) Certification of Construction: Creek County C&D Material Recycling Facility shall submit to the Department, by certified mail or hand delivery, a letter signed and sealed by an
independent professional engineer registered in Oklahoma, certifying that the facility is constructed in accordance with the approved plans and specifications.

(4) Review of Certification of Construction: The Department shall review all completion reports and certifications and may conduct an on-site inspection to verify that the construction of the facility complies with all regulatory and permit requirements.

(5) Operation of Material Recycling Facility: Creek County C&D Material Recycling Facility shall not commence operation of the processing facility until the Department provides written confirmation of an acceptance of the certificate of construction.

D. OPERATING CONDITIONS

(1) Holding Period: If putrescible waste should inadvertently be found in the waste stream; all putrescible waste must be segregated and removed from the site within 24 hours after receipt.

(2) Blowing Litter: Creek County C&D Material Recycling Facility shall require users to adequately cover their loads to prevent blowing litter. Unloading shall be performed in a manner that will minimize scattering of refuse. The entire site and the approach roadway to the site shall be policed daily for blowing litter.

(3) Air Criteria: Creek County C&D Material Recycling Facility shall ensure that it does not violate any applicable requirements of the Oklahoma Clean Air Act, as amended, or rules promulgated thereunder. Creek County C&D Material Recycling Facility shall adhere to all requirements as developed under a State Implementation Plan (SIP) as approved or promulgated by the Administrator of the U.S. Environmental Protection Agency. The burning of solid waste at this facility is prohibited.

(4) Liquid Waste: Liquid waste shall not be accepted.

(5) Hours of Operation: Creek County C&D Material Recycling Facility shall post a sign at the site listing the hours of operation.

(6) Disposal Facility: Creek County C&D Material Recycling Facility shall dispose of all transferred waste at a site permitted to accept such wastes.

(7) Preservation of Aesthetics: Creek County C&D Material Recycling Facility shall plant and maintain various types of trees, shrubs and flowers throughout the site to enhance the aesthetic quality of the site.
(8) Water Management: All waste contaminated water including, but not limited to, wash down water from trucks, floors, equipment, waste water from the compaction of waste shall be collected, directed through the drainage network and discharged into a sanitary sewer system.

(9) Out of State Waste: The facility shall not accept more than 200 tons of waste per day from outside the State of Oklahoma unless the requirements of OAC 252:515-19-34 have been satisfied. The facility shall maintain a daily record of out of state waste tonnage and maintain this file in the facility record at the site.

E. CLOSURE CONDITIONS

(1) Notice: Creek County C&D Material Recycling Facility shall give notification to the Department fifteen (15) days prior to closure of the facility.

(2) Certification of final closure: Within 60 days after the completion of final closure for the site, Creek County C&D Material Recycling Facility shall submit to the Department a notarized statement signed by an authorized agent for Creek County C&D Material Recycling Facility, and a certification, signed and sealed by an independent professional engineer registered in the State of Oklahoma, that the site was closed in accordance with the approved closure plan, the permit, and applicable Rules.

(3) Closure approval: Final closure of the site must be in accordance with this permit, the approved Closure Plan, and regulatory requirements and must be approved in writing by the Department.

F. INCORPORATION BY REFERENCE

The following document is incorporated by reference and constitutes the complete application:

Formal application submitted: Application received by the Department on September 8, 2010 signed by Joe B. Ramey, P.E.
Notice of Deficiency March 24, 2011.
Response to Notice of Deficiency November 1, 2011.
Additional requested information provided on March 26, 2014 and June 9, 2014.
MEMORANDUM FOR DRAFT SOLID WASTE PERMIT

TO: Kelly Dixon, Director
   Land Protection Division

   Saba Tahmassebi, Agency Chief Engineer
   Department of Environmental Quality

   Hillary Young, Engineering Supervisor
   Land Protection Division

FROM: Wesley Squyres
   Land Protection Division

SUBJECT: Creek County C&D Material Recycling Facility
         Permit # 3519023
         Permit for a Construction & Demolition Waste Processing Facility
         Creek County, Oklahoma

PERMIT MODIFICATION
This permit will allow Creek County Landfill to construct a C&D material recycling facility adjacent to the currently permitted Landfill. C&D waste will be brought to the facility; recyclable material will be removed from the waste for processing. Non-recyclable C&D material will be transferred and disposed of in the currently permitted C&D landfill facility. All inadvertently received nonconforming waste will be transferred within 24 hours to an appropriate disposal site.

RECOMMENDATION
The permit application for the proposed Creek County C&D Material Recycling Facility located in Creek County has been reviewed by the staff of Solid Waste Permitting Unit (SWPU). It meets the requirements of the Oklahoma Solid Waste Management Act and the Rules of the Oklahoma Department of Environmental Quality promulgated thereunder. The SWPU recommends the application be approved and issued as set forth in the proposed permit document.
July 21, 2014

Mr. Mike O’Brien
PO Box 1597
Sapulpa, OK 74067

Re: Draft Permit
Creek County C&D Material Recycling Facility
Permit #3519023
Creek County, Oklahoma

Dear Mr. O’Brien:

The Department has completed the technical review of the above referenced Tier II application and found it to be technically complete. Enclosed is a copy of the draft permit.

The next step in the permitting process is the publication of a notice of draft permit as required by 27A O.S. Sec. 2-14-302. Enclosed is a copy of the suggested format for a public notice. Please complete the enclosed form; before the notice is published you must email or send a copy of the public notice to the Department for approval.

Please contact Wesley Squyres at (405) 702-5197, if there are any questions concerning this letter.

Sincerely,

Hillary Young, P. E.
Engineering Manager
Solid Waste Permitting

HY/WS