

**UTAH DIVISION OF SOLID AND HAZARDOUS WASTE  
SOLID WASTE PERMIT RENEWAL**

**Advanced Paving and Construction  
CLASS IVb LANDFILL**

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Part 1, Utah Code Annotated (Utah Code Ann.) (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code R315-301 through 320 adopted thereunder, a Permit is issued to

Weber Properties L.L.C. as owner and  
Advanced Paving and Construction, Inc. as operator  
(Permittees),

to own and operate the Advance Paving and Construction Landfill located in the southwest quarter of Section 24, Township 6 North, Range 2 West, Salt Lake Base and Meridian, Weber County, Utah as shown in the Permit Renewal Application that was determined complete on September 12, 2013.

The Permittees are subject to the requirements of R315-301 through 320 of the Utah Administrative Code and the requirements set forth herein.

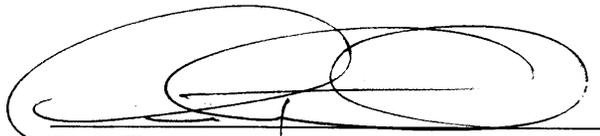
All references to R315-301 through 320 of the Utah Administrative Code are to regulations that are in effect on the date that this Permit becomes effective.

This Permit shall become effective January 1, 2014.

This Permit shall expire at midnight December 31, 2023.

Closure Cost Revision Date: December 31, 2018.

Signed this 26<sup>th</sup> day of December, 2013.



Scott T. Anderson, Director  
Division of Solid and Hazardous Waste

## FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: Advanced Paving and Construction Landfill

OWNER NAME: Weber Properties L.L.C.

OWNER ADDRESS: P.O. Box 12847  
Ogden, Utah 84412

OWNER PHONE NO.: 801-731-7882

OPERATOR NAME: Advance Paving and Construction, Inc.

OPERATOR ADDRESS: P.O. Box 12847  
Ogden, Utah 84412

OPERATOR PHONE NO.: 801-731-7882

TYPE OF PERMIT: Class IVb Landfill

PERMIT NUMBER: 9810R2

LOCATION: Landfill site is located in Township 6 North, Range 2 West, Section 24, SLMB; Weber County, Lat. 41° 14' 24", Long. 112° 1' 9"

FACILITY ADDRESS: 1650 West 1650 South  
Ogden, Utah 84412

PERMIT HISTORY: Permit renewal signed: 26 December, 2013

## PERMIT REQUIREMENTS

The term, "Permit," as used in this document is defined in R315-301-2(55) of the Utah Administrative Code. Director as used throughout this permit refers to the Director of the Division of Solid and Hazardous Waste.

The renewal application, including "Advanced Paving and Construction – Application for Permit Renewal to Operate a Class IVB Landfill" (June 29, 2011; TN2010.01521) as deemed complete on the date shown on the signature page of this Permit, are hereby incorporated by reference into this Solid Waste Permit and shall be referred to as the "Permit Application" throughout this Permit. All representations made in the Permit Application are part of this Permit and are enforceable under R315-301-5(2) of the Utah Administrative Code. The Permit Application shall become part of the daily operating record of the Landfill. Where differences in wording exist between this Permit and the application, the wording of this Permit supersedes that of the application.

This Permit consists of the signature page, Facility Owner/Operator Information section, sections I through V, and the Permit Application as defined above.

The facility as described in this Permit consists of the disposal cell for all permitted waste and areas for storage of recyclable asphalt and topsoil.

Compliance with this Permit does not constitute a defense to actions brought under any other local, state, or federal laws. This Permit does not exempt the Permittees from obtaining any other local, state or federal permits or approvals required for the facility operation.

The issuance of this Permit does not convey any property rights, other than the rights inherent in this Permit, in either real or personal property, or any exclusive privileges other than those inherent in this Permit. Nor does this Permit authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations, including zoning ordinances.

The provisions of this Permit are severable. If any provision of this Permit is held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

By this Permit, the Permittees are subject to the following conditions.

## I. GENERAL COMPLIANCE RESPONSIBILITIES

### A. General Operation

The Permittees shall operate the landfill in accordance with all applicable requirements of R315-304 of the Utah Administrative Code, that are in effect as of the date of this Permit unless otherwise noted in this Permit. Any permit noncompliance or noncompliance with any applicable portions of Utah Code Ann § 19-6-101 through 123 and applicable portions of R315-301 through 320 of the Utah Administrative Code constitutes a violation of the Permit or applicable statute or rule and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

### B. Acceptable Waste

1. Construction/demolition waste, as defined in R315-301-2(17) of the Utah Administrative Code;
2. Yard waste, as defined in R315-301-2(87) of the Utah Administrative Code;
3. Inert waste, as defined in R315-301-2(37) of the Utah Administrative Code;

4. Waste tires, when the requirements of R315-320 of the Utah Administrative Code are met; and
5. Petroleum contaminated soils as allowed in R315-315-8(3) of the Utah Administrative Code.

C. Prohibited Waste

1. Hazardous waste as defined by R315-1 and R315-2 of the Utah Administrative Code;
2. PCB's as defined by R315-301-2(53) of the Utah Administrative Code, except PCB's specified by R315-315-7(2)(a) and (c) of the Utah Administrative Code;
3. Household waste, except waste resulting from the abatement, rehabilitation, renovation and remodeling of homes and other residences;
4. Municipal waste;
5. Special waste except as specified in this Permit;
6. Regulated asbestos-containing material;
7. Industrial waste;
8. Commercial waste;
9. Containers larger than household size (five gallons) holding any liquid, non-containerized material containing free liquids or any waste containing free liquids in containers larger than five gallons; and
10. Dead animals.

Any prohibited waste received and accepted for disposal at the facility shall constitute a violation of this Permit, of 19-6-101 through 123 and of R315-301 through 320 of the Utah Administrative Code.

D. Inspections and Inspection Access

The Permittees shall allow the Director of the Utah Division of Solid and Hazardous Waste or an authorized representative, or representatives from the Weber-Morgan Health Department, to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;

2. Have access to and copy any records required to be kept under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;
3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit or regulated under R315-301 through 320 of the Utah Administrative Code; and
4. Create a record of any inspection by photographic, video, electronic, or any other reasonable means.

E. Noncompliance

If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under R315-301 through 320 of the Utah Administrative Code may be or is being violated, the Permittees shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules.

In the event of noncompliance with any permit condition or violation of an applicable rule, the Permittees shall promptly take any action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility.

The Permittees shall:

1. Document the noncompliance or violation in the daily operating record, on the day the event occurred or the day it was discovered;
2. Notify the Director of the Utah Division of Solid and Hazardous Waste by telephone within 24 hours, or the next business day following documentation of the event; and
3. Give written notice of the noncompliance or violation and measures taken to protect human health and the environment within seven days after Director notification.

Within thirty days after the documentation of the event, the Permittees shall submit to the Director a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Director may order the Permittees to perform appropriate remedial measures including development of a site remediation plan for approval by the Director.

In an enforcement action, the Permittees may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with R315-301 through 320 of the Utah Administrative Code and this Permit.

F. Revocation

This Permit is subject to revocation if the Permittees fails to comply with any condition of the Permit. The Director will notify the Permittees in writing prior to any proposed revocation action and such action shall be subject to all applicable hearing procedures established under R305-7 of the Utah Administrative Code and the Utah Administrative Procedures Act.

G. Attachment Incorporation

Attachments to the Permit Application are incorporated by reference into this Permit and are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit supersedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

The landfill shall be constructed according to the design outlined in the Permit Application and in the area designated in the Permit Application, including landfill cells, fences, gates, and berms.

The Permittees shall notify the Director upon completion of construction of any landfill cells or run-on and run-off diversion systems. No landfill cells or run-on and run-off diversion system may be used until construction is approved by the Director.

The Permittees shall notify the Director of the completion of construction of any final cover system and shall provide all necessary documentation and shall apply for approval of the construction from the Director.

If ground water is encountered during excavation of the landfill, the Director shall be notified immediately, and a contingency plan implemented or alternative construction design developed and submitted for approval.

B. Run-On Control

The Permittees shall construct drainage channels and diversions as specified in the Permit Application and shall maintain them at all times to effectively prevent runoff from the surrounding area from entering the landfill.

### III. LANDFILL OPERATION

#### A. Operations Plan

The Permittees shall keep the Operations Plan included in the Permit Application on site at the landfill or at the location designated in section III-H of this Permit. The Permittees shall operate the landfill in accordance with the operations plan. If necessary, the Permittees may modify the Operations Plan, provided that the modification meets all of the requirements of R315-301 through 320 of the Utah Administrative Code, is as protective of human health and the environment as the Operations Plan approved as part of this Permit, and is approved by the Director as a minor modification under R315-311-2(1)(a)(xiii) of the Utah Administrative Code. The Permittees shall note any modification to the Operations Plan in the daily operating record.

The Permittees shall submit any modification to the Operations Plan to the Director for approval.

#### B. Security

The Permittees shall operate the Landfill so that unauthorized entry to the facility is restricted. The Permittees shall:

1. Lock all facility gates and other access routes during the time the landfill is closed.
2. Have at least one person employed by the Permittees at the landfill during all hours that the landfill is open.
3. Construct all fencing and any other access controls as shown in the Permit Application to prevent access by persons or livestock by other routes.

#### C. Training

Permittees shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

#### D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of R315-303-4(2)(b) of the Utah Administrative Code.

The Permittees shall extinguish all accidental fires as soon as reasonably possible.

#### E. Cover

The Permittees shall cover the waste as necessary to prevent fires and to control vectors, blowing litter, odor, scavenging, and fugitive dust. The Permittees shall cover wastes

that are capable of attracting or providing food for vectors, materials that may become windblown litter, or fine materials that may become fugitive dust with a minimum of six inches of earth at the end of the working day in which they are received.

The Permittees may use an alternative cover material when the material and operation meets the requirements of R315-303-4(4)(b) through (e) of the Utah Administrative Code.

The Permittees shall use a minimum of six inches of earthen cover no less than once every three months for all wastes received at the landfill. This cover shall consist of soil; no alternative may be used.

The Permittees shall record in the daily operating record and the operator shall certify, at the end of each day of operation when soil or an alternative cover is placed, the amount and type of cover placed and the area receiving cover.

F. Waste Inspections

The Permittees shall visually inspect all incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill. Personnel trained in hazardous waste recognition and recognition of other unacceptable waste shall conduct a visual inspection of the waste.

The Permittees shall inspect all loads suspected or known to have one or more containers capable of holding more than five gallons of liquid to ensure that each container is empty.

The Permittees or the waste transporter shall properly dispose of any waste found that is not acceptable at the facility at an approved disposal site for the waste type and handle the waste according to the rules covering the waste type.

G. Self Inspections

The Permittees shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health or the environment. The Permittees shall complete these general inspections no less than quarterly and shall cover the following areas: Waste placement, compaction, cover; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and records. The Permittees shall place a record of the inspections in the daily operating record on the day of the inspection. The Permittee shall correct the problems identified in the inspections in a timely manner and document the corrective actions in the daily operating record.

H. Recordkeeping

The Permittees shall maintain and keep on file at the Advanced Paving and Construction office, a daily operating record and other general records of landfill operation as required by R315-302-2(3) of the Utah Administrative Code. The landfill operator, or other designated personnel, shall date and sign the daily operating record at the end of each operating day. Each record to be kept shall contain the signature of the appropriate operator or personnel and the date signed. The Daily operating record shall consist of the following two types of documents:

1. Records related to the daily landfill operation or periodic events including:
  - a. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
  - b. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
  - c. Results of monitoring required by this Permit recorded in the daily operating record on the day of the event or the day the information is received;
  - d. Records of all inspections conducted by the Permittees, results of the inspections, and corrective actions taken shall be recorded in the record on the day of the event.
2. Records of a general nature including:
  - a. A copy of this Permit, including the Permit Application;
  - b. Results of inspections conducted by representatives of the Director of the Division of Solid and Hazardous Waste, and of representatives of the local Health Department, when forwarded to the Permittees;
  - c. Closure and Post-closure care plans; and
  - d. Records of employee training.

I. Reporting

The Permittees shall prepare and submit to the Director an Annual Report as required by R315-302-2(4) of the Utah Administrative Code. The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, and all training programs completed.

J. Roads

The Permittees shall improve and maintain All access roads within the landfill boundary that are used for transporting waste to the landfill for disposal shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

K. Litter Control

Litter resulting from operations of the landfill shall be minimized. In addition to the litter control plans found in Section 2.6 of the Permit Application, the Permittees shall implement the following procedures when high wind conditions are present:

1. Reduce the size of the tipping face;
2. Reduce the number of vehicles allowed to discharge at the tipping face at one time;
3. Orient vehicles to reduce wind effects on unloading and waste compaction;
4. Reconfigure tipping face to reduce wind effect;
5. Use portable and permanent wind fencing as needed; and
6. Should high winds present a situation that the windblown litter cannot be controlled, the Permittees shall cease operations of the landfill until the winds diminish.

IV. CLOSURE REQUIREMENTS

A. Closure

The Permittees shall place the final cover of the landfill as shown in the Permit Application. The final cover shall meet, at a minimum, the standard design for closure as specified in R315-305-5(5)(b) of the Utah Administrative Code.

B. Title Recording

The Permittees shall meet the requirements of R315-302-2(6) of the Utah Administrative Code by recording a notice with the Weber County Recorder as part of the record of title that the property has been used as a landfill. The notice shall include waste disposal locations and types of waste disposed. The Permittees shall provide the Director the notice as recorded.

C. Post-Closure Care

The Permittees shall perform post-closure care at the closed landfill in accordance with the Post-Closure Care Plan contained in the Permit Application. Post-closure care shall

continue until all waste disposal sites at the landfill have stabilized and the finding of R315-302-3(7)(c) of the Utah Administrative Code is made.

D. Financial Assurance

The Permittees shall keep in effect and active the currently approved financial assurance mechanism or another approved mechanism that meets the requirements of R315-309 of the Utah Administrative Code and is approved by the Director to cover the costs of closure and post-closure care at the landfill. The Permittees shall adequately fund and maintain the financial assurance mechanism(s) to provide for the cost of closure at any stage or phase or anytime during the life of the landfill or the permit life, whichever is shorter.

E. Financial Assurance Annual Update

The Permittees shall submit an annual revision of closure and post-closure costs for inflation and financial assurance funding as required by R315-309-2(2) of the Utah Administrative Code, to the Director as part of the annual report.

F. Closure Cost and Post-Closure Cost Revision

The Permittees shall submit a complete revision of the closure and post-closure cost estimates by the Closure Cost Revision Date listed on the signature page of this Permit and any time the facility is expanded, any time a new cell is constructed, or any time a cell is expanded.

## V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this Permit may be made upon application by the Permittees or by the Director. The Permittees shall be given written notice of any permit modification initiated by the Director.

B. Permit Transfer

This Permit may be transferred to a new permittee or new permittees by meeting the requirements of the permit transfer provisions specified in R315-310-11 of the Utah Administrative Code.

C. Expansion

This Permit is for the operation of a Class IVb Landfill according to the design and Operation Plan described and explained in the Permit Application. Any expansion of the current footprint designated in the description contained in the Permit Application, but within the property boundaries designated in the Permit Application, shall require

submittal of plans and specifications to the Director. The plans and specifications shall be approved by the Director prior to construction.

Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the Permit Application shall require submittal of a new Permit Application in accordance with the requirements of R315-310 of the Utah Administrative Code.

Any addition to the acceptable wastes described in Section I-B shall require a permit modification in accordance with R315-311 of the Utah Administrative Code.

D. Expiration

If the Permittee desires to continue operating this landfill after the expiration date of this Permit, the Permittee shall submit an application for permit renewal at least six months prior to the expiration date, as shown on the signature (cover) page of this Permit. If the Permittee timely submits a permit renewal application and the permit renewal is not complete by the expiration date, this Permit shall continue in force until renewal is completed or denied.