

June 13, 2024

ERIC WERNER  
LANDFILL MANAGER  
BENTON COUNTY SOLID WASTE DISPOSAL COMMISSION  
7904 20<sup>TH</sup> AVENUE  
BLAIRSTOWN IA 52209

**RE: Benton County Sanitary Landfill  
Monitoring Well Construction Documentation Forms for MW-41 (Doc [#110142](#))  
06-SDP-02-81P  
Permit Revision**

Dear Mr. Werner:

Enclosed is the revised permit for the Benton County Sanitary Landfill. The permit and the approved plans must be kept at the sanitary disposal project in accordance with the recordkeeping and reporting requirements of Iowa Administrative Code 567 subparagraph [\(567 IAC 113.11\(1\)\)](#). Please review the permit with your operators, as they must become familiar with it.

The revised permit approves the well construction documentation for MW-41.

Note that the permit contains special provisions that may require a response or action by you which, if not properly complied with, may prompt enforcement action by the Department of Natural Resources.

For any questions, please contact me at [\(515\) 587-7638](tel:5155877638) or [geoffrey.spain@dnr.iowa.gov](mailto:geoffrey.spain@dnr.iowa.gov).

Sincerely,

Geoffrey Spain  
Environmental Engineer  
Land Quality Bureau

cc: Todd Whipple, CPG.

HLW Engineering Group

204 West Broad Street, PO Box 314

Story City, IA 50248

Iowa DNR Field Office #1, [FO1.Notify@dnr.iowa.gov](mailto:FO1.Notify@dnr.iowa.gov)

**IOWA DEPARTMENT OF NATURAL RESOURCES  
SANITARY DISPOSAL PROJECT PERMIT**

**I. Permit Number:** 06-SDP-02-81P

**II. Permitted Agency:** Benton County Sanitary Landfill

**III. Project Location:** NE ¼ of the NW ¼ of Section 35, T82N, R11W,  
Benton County, Iowa

**IV. Responsible Official**  
Name: Eric Werner, Landfill Manager  
Address: Benton County Solid Waste Disposal Commission  
7904 20<sup>th</sup> Avenue  
Blairstown, IA 52209  
Phone: 319-454-6392  
Email: Bentonlandfill@netins.net

**V. Licensed Design Engineer**  
Name: Douglas J. Luzbetak, P.E.  
Address: HLW Engineering Group  
204 West Broad Street, PO Box 314  
Story City, IA 50248  
Phone: 515-733-4144  
Email: dluzbetak@hlwengineering.com  
Iowa License Number: 12654

**VI. Date Permit Issued:** 08/08/2022

**VII. Permit Expiration Date:** 08/08/2027  
**Date Permit Revised**

11/30/2022	Amendment #1
02/14/2023	Amendment #2
03/30/2023	Amendment #3
08/09/2023	Amendment #4
10/05/2023	Amendment #5
01/17/2024	Amendment #6
02/13/2024	Amendment #7
03/11/2024	Amendment #8
05/09/2024	Amendment #9
06/13/2024	Amendment #10

**VIII. Issued by:** \_\_\_\_\_  
Iowa Department of Natural Resources

**IX. General Provisions**

The above named permitted agency is hereby authorized to operate a sanitary disposal project at the described location in conformance with Iowa Code section 455B, the rules pursuant thereto existing at the time of issuance, and any subsequent new rules which may be duly adopted, and any provisions contained in Section X of this permit.

The issuance of this permit in no way relieves the applicant of the responsibility for complying with all other local, state, and federal statutes, ordinances, and rules or other requirements applicable to the establishment and operation of this sanitary disposal project.

No legal or financial responsibility arising from the construction or operation of the approved project shall attach to the State of Iowa or the Department of Natural Resources (DNR) due to the issuance of this permit.

If title to this project is transferred, the new owner must apply to the DNR for a transfer of this permit within thirty days of the date of title transfer pursuant to subrule 113.4(3). This permit is void sixty days after the date of title transfer unless the DNR has transferred the permit.

The permit holder shall file a Quarterly Solid Waste Fee Schedule and Retained Fee Report utilizing the DNR's Form 542-3276 and remit tonnage fee payment, as applicable, for all wastes disposed at the sanitary disposal project in accordance with Iowa Code section 455B.310. The Reports will be due January 1, April 1, July 1 and October 1 for the quarters ending September 30, December 31, March 31 and June 30, respectively. The permit holder shall mail the completed report to the Solid Waste Section, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319. This reporting procedure supersedes any previous conflicting permit provisions.

The permit holder shall weigh all solid waste collection vehicles and solid waste transport vehicles on a scale certified by the Iowa Department of Agriculture and Land Stewardship. If conditions are such that make it impractical to provide an on-site scale, then off-site scale facilities may be used if justified and approved by the DNR. The permit holder shall comply with the waste weighing, record keeping and tonnage fee reporting requirements defined in rule 101.14(455B,455D). The scale weighing facilities shall comply with the certification and licensing requirements of the Iowa Department of Agriculture and Land Stewardship at all times. The permit holder shall maintain a current copy of the weighing scale facility licensing certificate issued by the Iowa Department of Agriculture and Land Stewardship at all times.

The permit holder shall comply with the gas control provisions of IAC 567 Chapters 20 through 31, including paragraph 23.1(2)“rrr” for the New Source Performance Standards and paragraph 23.1(5)“a” for the Emission Guidelines.

The permit holder shall ensure that the sanitary disposal project does not (1) cause a discharge of pollutants into waters of the United States, including wetlands, that violates any requirements of the Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, pursuant to Section 402 of the Clean Water Act, and (2) cause the discharge of a nonpoint source of pollution into waters of the United States, including wetlands, that violates any requirement of an areawide or statewide

water quality management plan that has been approved under Section 208 or 319 of the Clean Water Act.

The permit holder shall submit an updated Municipal Solid Waste Sanitary Landfill Financial Assurance Report Form no later than April 1<sup>st</sup>, annually, pursuant to rule 113.14(455B). Use of this form provides permit holders a uniform means of submitting all required documentation to ensure that closure and postclosure cost estimates and applicable financial assurance instruments are updated as required.

Failure to comply with Iowa Code section 455B, or any rule of order promulgated pursuant thereto, or any provisions of this permit may result in 1) a civil penalty of up to \$5000 for each day of violation, pursuant to Iowa Code section 455B.307, or 2) the suspension or revocation of this permit, pursuant to Iowa Code section 455B.305.

**X. Special Provisions**

1. The permit holder is authorized to accept solid waste for disposal in accordance with the approved East Central Iowa Council of Governments Comprehensive Plan. The Comprehensive Plan as approved by the DNR on July 6, 2016; any approved amendments to the plan; and the latest plan update, are hereby incorporated as permit plan documents.

The permitted service area includes: All cities and the unincorporated area in Benton County.

In accordance with subrule 101.13(2), the permit holder shall submit an updated Comprehensive Solid Waste Management Plan compliant with the DNR's schedule.

2. The permit holder shall develop and operate the site in accordance with the Design Plans and Specifications, dated February 14, 2022, as submitted by HLW Engineering Group, and approved on March 7, 2022, and the following:
  - a. Waste disposal is limited to Phases II-C, II-D, Stages 1 and 2 of Cell E/F, and Phase III Cell H. Any further expansion beyond these phases shall require prior DNR approval.
  - b. The first lift of municipal solid waste placed in a newly constructed unit or portion of a unit must be placed in accordance with paragraph 113.8(2)"b" in such a manner to minimize damage to the leachate collection system and liner.
  - c. The permit holder shall collect leachate from the leachate control system and properly dispose of the leachate either by treatment in an on-site facility, discharge with an NPDES permit; or by discharge to the City of Van Horne or hauled to the City of Vinton publicly owned treatment works (POTW). If the discharge is to a POTW with a pretreatment program approved by the DNR, the discharge must comply with the terms and conditions of a local permit issued for the discharge by the POTW. If the discharge is to a POTW without an approved pretreatment program a completed treatment agreement form shall be submitted to the DNR's Wastewater Section. Copies of the local permit or treatment agreement shall be provided to the DNR's Solid Waste Section

and the local Field office. The treatment agreement must be on DNR Form 31 (542-3221) and must comply with the requirements of subrule 64.3(5).

In addition, the permit holder shall monthly measure leachate head levels and elevations at all piezometers and record the volume of leachate collected and transported to the treatment works. Records of leachate contaminants testing required by the treatment works and any NPDES permit for on-site treated leachate discharges shall be maintained.

The permit holder shall annually submit a Leachate Control System Performance Evaluation (LCSPE) Report pursuant to subparagraph 113.7(5)"b"(14) as a supplement to the facility Annual Water Quality Report, as defined in subrule 113.10(10).

- d. The following shall be recorded by the permit holder and reported in the LCSPER for each leachate thickness measurement that equals or exceeds 12 inches:
    - 1) Date of original and any verification measurement.
    - 2) If 12 inch or greater leachate column is verified, specific actions taken by the certified operator to lower leachate thickness, or an explanation why specific actions were not necessary.
    - 3) Date and results of follow-up measurement.
    - 4) Repeat steps 2 and 3 as necessary until a compliant measurement is collected.
  - e. The permit holder shall follow the approved Emergency Response and Remedial Action Plan (ERRAP) procedures during all emergencies pursuant to subrule 113.8(5). An updated ERRAP shall be submitted at the time of each permit renewal application. An updated ERRAP shall be included with any request for permit modification to incorporate a facility expansion or significant changes in facility operation that require modification of the currently approved ERRAP.
3. The permit holder is authorized to construct the liner and leachate collection system in accordance with the Design Plans and Specifications, dated February 14, 2022, as submitted by HLW Engineering Group, and approved on March 7, 2022, and the following:
- a. The permit holder shall notify the DNR and have the site inspected when the construction of a new Municipal Solid Waste Landfill Unit (MSWLF) unit or significant components thereof has been completed, in accordance with subrule 113.4(6). Prior to the inspection, the Quality Control & Assurance officer shall submit a final report to the DNR that verifies compliance with the requirements of rule 113.7 and the approved plans and specifications. No waste disposal shall commence in any newly constructed unit or portion thereof until it has been inspected and approved by the DNR.
  - b. The Construction Certification Report for Cell E/F Stage 2, dated November 16, 2012, as submitted by Howard R. Green Company and approved on December 3, 2012, is incorporated into the permit documents.

- c. The Construction Certification Report for the Phase III Cell G, dated October 30, 2015, as submitted by Barker Lemar Engineering Consultants, and approved on November 4, 2015, is incorporated into the permit documents.
  - d. The Plans and Specifications for Phase III Cell H, dated January 26, 2023, as submitted by HLW Engineering Group, is approved and included in the permit documents.
  - e. The QC&A Report for Phase III Cell H, dated September 29, 2023, as submitted by HLW Engineering Group, is approved and included in the permit documents. Phase III Cell H can now be used for waste disposal.
4. Hydrologic monitoring at the site shall be conducted in accordance with the Hydrologic Monitoring System Plan (HMSP) dated February 14, 2022, as submitted by HLW Engineering Group, and approved on March 7, 2022, and the following:
- a. The HMSP shall include background groundwater monitoring points MW-6, MW-7, MW-26, MW-27, and MW-28, and downgradient monitoring points MW-9, MW-12, MW-14, MW-20, MW-23, MW-24, MW-25, MW-41, AW-2, AW-3, and AW-9.
  - b. Groundwater monitoring points MW-7, PZ-8, PZ-11, MW-13, MW-15, and MW-21 may be retained as water level measuring points.
  - d. DNR construction documentation form 542-1277 and boring logs for all monitoring wells and piezometers shall be submitted within 30 days of installation. DNR construction documentation form 542-1323 shall be submitted within 30 days of establishing surface water monitoring points.
  - f. The permit holder shall conduct background and routine *semiannual* groundwater sampling and analysis; as well as perform statistical tests for the approved monitoring points for Appendix I and total suspended solids (TSS) in accordance with rule 113.10(455B). Groundwater samples shall **not** be field-filtered prior to laboratory analysis and total suspended solids shall be analyzed using Method 1376585, with a reporting limit goal of  $\leq 2$  mg/l). Turbidity measurement may be approved by the DNR in lieu of TSS, provided a correlation between the two is established.
  - g. The permit holder shall include in each AWQR an evaluation of TSS/turbidity data and other pertinent sampling and analytical results, to determine if representative samples of groundwater have been collected. If samples are not representative, the permit holder may be required to utilize low flow or no-purge sampling methods, consider new well construction with an optimized filter pack design, and/or additional well development. If sample quality does not improve with improved well construction, well development, and/or sampling methods, the DNR will consider higher TSS/turbidity levels as representative of site groundwater conditions.
  - h. In accordance with the July 10, 2014 Unnumbered Permit Amendment-TSS and Field Turbidity, dated February 2, 2017, as submitted by HLW, the permit holder is authorized

utilize the correlation established between total suspended solids (TSS) and field turbidity as demonstrated in the February 2, 2017 correspondence. For future sampling events, a measurement of field turbidity and a 3:1 ratio (3 mg/l TSS:1 NTU turbidity) shall be used to estimate the TSS in the samples. Note that the DNR may require periodic resampling of TSS during future sampling events to verify the continued applicability of the 3:1 ratio.

- i. The frequency for full Appendix II analysis at monitoring points that are in assessment monitoring and have had at least two (2) rounds of analysis using the entire Appendix II list may be decreased to once every (5) five years. If monitoring points exit assessment monitoring and later return to assessment monitoring an additional two (2) rounds of analysis using the entire Appendix II list is required.
  - j. The permit holder shall *semiannually* measure groundwater elevations within 1/100 of a foot in each well and immediately prior to purging, each time groundwater is sampled.
  - k. The permit holder shall collect semiannual groundwater elevation measurements from groundwater piezometer DP-1 in order to measure the separation of the base of the MSWLF unit from the groundwater table as required in paragraph 113.6(2)"i". This data shall be included in the facilities' AWQR.
  - l. An Annual Water Quality Report (AWQR) summarizing the effects the facility is having on groundwater quality shall be submitted to the DNR's Solid Waste Section by March 31 each year. This report shall be prepared in accordance with subrule 113.10(10) by a qualified groundwater scientist pursuant to paragraph 113.10(1)"d".
  - m. The Monitoring Well Abandonment documentation for MW-19, dated April 18, 2023, and the Additional Well Abandonment Plan, dated January 15, 2024, both as submitted by HLW Engineering Group, are approved and included in the permit documents.
  - n. The Monitoring Well Abandonment documentation for AW-4, AW-5, AW-6, and MW-23, dated May 1, 2024, as submitted by HLW Engineering Group, are approved and included in the permit documents.
  - o. The Monitoring Well Construction Documentation Forms for MW-41, dated May 23, 2024, as submitted by HLW Engineering Group, are approved and included in the permit documents.
5. The permit holder is authorized to recirculate leachate in accordance with the 2015 Master Plan, dated March 31, 2015, as submitted by Barker Lemar Engineering Consultants and approved on January 29, 2016; and the following:
- a. Leachate application is restricted to only those MSWLF units with a composite liner constructed in accordance with paragraph 113.7(5)"a".



- b. The leachate recirculation system shall not contaminate waters of the state, contribute to erosion, damage cover material, harm vegetation, or spray persons at the MSWLF facility, pursuant to paragraph 113.8(2)“h”.
  - c. Leachate shall not be applied on user vehicle access areas.
  - d. Leachate shall not be applied to vegetated areas or frozen waste cover. A means of frost protection must be provided for all leachate control elements.
  - e. Leachate shall be applied evenly on the working area.
  - f. Leachate recirculation shall be conducted only during hours of operation and when an operator is on duty.
  - g. Leachate shall be applied in a manner such that ponding or runoff will not occur.
  - h. Leachate recirculation shall be controlled such that not more than one foot of leachate head will be allowed to accumulate above the MSWLF unit liner.
  - i. Records shall be maintained as to the time and quantities of leachate application and be submitted with the facility Annual Leachate Control System Performance Evaluation Report (LCSPER).
  - j. Leachate recirculation shall be immediately terminated if it causes ponding, runoff, excessive odor, vector control problems, vapor drift, ice formation, or operational problems. The DNR’s local Field office shall be immediately notified if any of the above events occur.
6. The permit holder shall conduct subsurface gas monitoring in accordance with the Gas Monitoring System Plan, dated February 14, 2022, as submitted by HLW Engineering Group, and approved on March 7, 2022, and the following:
- a. The permit holder shall quarterly monitor and annually report site methane concentrations in accordance with rule 113.9(455B). Specific actions, as defined in the rules, shall be taken in the event of methane gas level limit exceedances.
  - b. The permit holder shall annually submit a report by March 31 summarizing the methane gas monitoring results and any action taken resulting from gas levels exceeding the specified limits during the previous 12 months as a supplement to the facility Annual Water Quality Report, as defined in subrule 113.10(10).
7. Based on a completed and certified site risk assessment meeting the requirements outlined in Iowa Code section 455B.305(6), the permit holder was conditionally exempted under the DNR letter dated September 26, 1995 from providing and implementing a leachate control plan for (Insert the specific MSWL unit areas) that received wastes prior to July 1, 1992.

Continued exemption is subject to control of leachate at the site and compliance with the groundwater sampling and analysis requirements pursuant to subrule 113.10(4). In the event that these conditions are violated, the permit holder shall be required to comply with the environmental corrective action requirements pursuant to rule 113.10(455B).

8. The permit holder is authorized to collect, process, grind, or chip trees, limbs, brush, and clean wood wastes free of coatings and preservatives, for the purposes of reuse as bedding material, mulch, compost bulking material; or for other beneficial reuses, in accordance with the following:
  - a. Trees, limbs, brush, and clean wood wastes shall not be stored for a period exceeding twelve (12) months before processing.
  - b. Ground or chipped materials shall not be allowed to accumulate such that the stockpiles are not completely reused within twelve (12) months of initial stockpiling.
  - c. The processed materials may be used as mulch for off-site purposes and on landfill areas with intermediate and final cover and on soil borrow areas.
  - d. Mulch applied to existing vegetated landfill areas shall be applied at a rate such that established vegetation is not adversely impacted by its use.
9. The permit holder is authorized to collect grass clippings, leaves and garden wastes for the purposes of land application reuse as mulch, or for other beneficial reuses.
  - a. Non-composted yard waste shall not be stored for more than two (2) weeks before land application.
  - b. All non-biodegradable bags and containers shall be removed prior to land application.
  - c. The wastes may be used as mulch for off-site purposes and on landfill areas with intermediate and final cover and on soil borrow areas.
  - d. Yard waste shall be land applied at a rate not to exceed 2 tons per year per acre.
  - e. Mulch applied to existing vegetated landfill areas shall be applied at a rate such that established vegetation is not adversely impacted by its use.
10. The permit holder is authorized to use a geotextile by the trade name DuraShield 12,000 FR by THOR, and tarpARMOR 12.1 oz. Fire Retardant Polyethylene as an alternative cover material for the active MSWLF unit, subject to the following:
  - a. The use and installation of this product shall be in conformance with the manufacturer's recommendations.

- b. This product shall only be used as a daily alternative cover material and shall not be utilized as a replacement for soil cover if application performance in terms of litter, vector, odor, and precipitation entry control is not provided.
  - c. This product shall be applied so as not to promote water ponding, or drainage run-on from adjacent upper and side MSWLF unit areas beneath the installed geotextile.
  - d. This product shall be weighted at the close of each working day to prevent displacement by wind through the use of soil or tires.
  - e. This product shall not be exposed for longer than **seven (7)** consecutive days. For any waste covered with this product beyond the stipulated time frame, the product shall be removed and the underlying waste shall be immediately covered with soil in accordance with the applicable IAC rules
  - f. This product shall not be used if it becomes damaged or worn, or if the intended performance is breached. In such instances, this product shall be disposed of as a part of the waste fill.
  - g. The operator shall inspect each application of this product for thorough coverage and cover integrity. If operational problems arise from the use of this product or its method of application, the use of this product shall be suspended until proper corrections are made by the operator, with six inches of compacted daily cover being utilized during this interim period.
  - h. If, at any time, the DNR or permit holder deems this product to be ineffective or otherwise unsatisfactory, the permit holder shall immediately revert to soil or another previously approved alternative daily cover. The permit holder shall immediately notify the DNR's Main and local Field office through both written and verbal notification of this action. This notification is not necessary if use of this product ceases only on a temporary basis, such as during adverse operational or weather conditions.
11. The permit holder is authorized to accept and temporarily store a maximum of 1500 waste tire equivalents for the purpose of reclamation processing or disposal. Tire storage and processing shall be conducted at approved plan locations. The tires shall be removed at least once every 120 days and transported to the appropriate reclaimer/processor, or disposed of at the site. All operations shall be in accordance with subrule 109.10(3), IAC 567 Chapter 117 and the current local fire code.
12. The permit holder is authorized to accept, temporarily store, grind, reuse or dispose of roofing shingles in accordance with the following conditions:
- a. Shingle wastes loads that are received at the gate without asbestos content laboratory test documentation and it is not evident by landfill personnel inspection that they contain EPA regulated friable asbestos (shingles with asbestos content exceeding 1%), the permit holder may dispose of the waste shingles in the general working face as an

unregulated asbestos material. However, the grinding of such wastes is prohibited unless laboratory testing of all loads confirm 1% or less asbestos content of each type or layer of material in each load.

Further, the permit holder may opt to: (1) manage the wastes as if they were EPA regulated or friable; (2) require evidence of testing to define the regulated status; (3) refuse to take the waste; or (4) place the untested shingles in discrete load piles in the temporary storage area for permit holder sampling and testing to determine proper disposition.

- b. Shingle waste loads received at the gate that are accompanied with confirmation by means of laboratory testing or confirmed by permit holder sampling and testing of wastes placed in the temporary raw waste storage area as containing more than 1% asbestos content (EPA designated regulated asbestos containing waste materials) shall be considered as regulated asbestos wastes and shall be managed in accordance with IAC 567 Chapter 109 pertaining to asbestos wastes.
13. The permit holder is authorized to collect and temporarily store used oil for recycling purposes. The storage tank(s) shall be designed and maintained to prevent the spillage or discharge of used oil. Absorbent material shall be available at the tank site for use by the operator to control used oil spillage or discharge. The used oil shall be processed in accordance with IAC 567 Chapter 119. The maximum length of time for storage is twelve (12) months.
  14. The permit holder is authorized to temporarily store white goods and scrap metal in an area designated by the operator. No discarded appliance may be stored for more than 270 days without being demanufactured. No scrap metal or discarded appliance may be stored for more than a total of twelve (12) months, including demanufacturing processing, prior to being recycled/salvaged. The operator and salvaging contractor shall comply with applicable provisions of IAC 567 Chapter 118 and the General Provisions of this permit. No scavenging shall be allowed.
  15. The permit holder is authorized to accept and temporarily store lead acid batteries for recycling purposes. Lead acid batteries must be stored in a designated area which will curtail movement of acids and provide proper ventilation of gases from the batteries. The maximum length of time for storage is twelve (12) months.
  16. The permit holder is authorized to allow direct burial of untreated petroleum contaminated soil (PCS) into the working face, dated October 10, 2017 as prepared by HLW Engineering Group, for a period to coincide with the solid waste permit and the following:
    - a. The PCS must be determined to be not hazardous (via federal exemption and/or analytical testing) and immediately buried at the working face.
    - b. The untreated PCS must not contain free liquids as determined by the paint filter liquids test (EPA Method 9095), nor exhibit one of the four characteristics of a hazardous waste

defined in 40 CFR Part 261 Subpart C for ignitability (DOO1), corrosivity (D002), reactivity (D003) and toxicity (D004-D0043).

- c. PCS resulting from the cleanup of petroleum underground storage tanks are exempt from RCRA hazardous waste management if the media and debris 1) exhibit the TC for D018-D043, and 2) are subject to the corrective action requirements in 40 CFR Part 280 of the UST regulations. This exemption does not apply to petroleum contaminated media resulting from spills or releases from aboveground storage tanks, other surface spills, or if the PCS become contaminated with a listed hazardous waste.
  - d. PCS meeting the above-referenced criteria is deemed a "solid waste" and therefore applicable waste flow and tonnage fee requirements will need to be adhered. PCS may continue to be received for remediation pursuant to subrule 109.11(2), or accepted from outside the planning area for disposal as long as the provisions of IAC 567 Chapter 101.4 are followed (i.e. maintain written approvals).
17. The permit holder is authorized to dispose of only construction and demolition (C&D) wastes in a temporary working face per the request dated October 6, 2017, as submitted by HLW Engineering Group. The C&D wastes shall be covered weekly with a minimum of one foot of compacted soil at the end of each workweek.
18. The permit holder is authorized to use the impacted soil, per the permit amendment request dated October 19, 2022, and the summary of the conference call with the DNR, dated October 31, 2022, both as submitted by HLW Engineering Group, as alternative daily cover (ADC), as a substitute for the six-inch daily soil cover requirement. Use of this material is subject to the following:
- a. The material is permitted to be delivered to the site until December 31, 2023, and all material must be used as ADC by December 31, 2030. No other source of impacted soil outside the material mentioned can be added until completion. Any extensions must be approved by the DNR.
  - b. This product shall not be used as a substitute for intermediate or final soil cover.
  - c. The waste shall be compacted, before this product is applied, to provide an even surface to minimize ponding, prevent pockets, and to maximize uniform surface drainage.
  - d. This product shall be applied to the active waste face at the end of each day of operations and more frequently if necessary to control fire or fire hazards, blowing litter, scavenging, odors, insects, rodents, birds and other vectors.
  - e. The operator shall inspect each application of this product for thorough coverage and cover integrity. If operational problems arise from the use of this product or its method of application, the use of this product shall be suspended until proper corrections are made by the operator, with six inches of compacted daily cover being utilized during this interim period.

- f. If, at any time, the DNR or permit holder deems impacted soil to be ineffective or otherwise unsatisfactory, the permit holder shall immediately revert to soil or another previously approved alternative daily cover. The permit holder shall immediately notify the DNR's Main and local Field office through both written and verbal notification of this action. This notification is not necessary if use of this product ceases only on a temporary basis, such as during adverse operational or weather conditions.
  - g. Nothing in this provision shall be construed to authorize any waiver from the requirements of any other applicable state solid waste laws or regulations, or any deviations from permit provisions.
  - f. This provision shall not be interpreted to release the permit holder from responsibility under the Groundwater Protection Act for remedying conditions resulting from any release of contaminants to the environment.
19. The permit holder is authorized to use the impacted soil, per the permit amendment request dated March 11, 2024, as submitted by HLW Engineering Group, as alternative daily cover (ADC), as a substitute for the six-inch daily soil cover requirement. Use of this material is subject to the following:
- a. This product shall not be used as a substitute for intermediate or final soil cover.
  - b. The waste shall be compacted, before this product is applied, to provide an even surface to minimize ponding, prevent pockets, and to maximize uniform surface drainage.
  - c. This product shall be applied to the active waste face at the end of each day of operations and more frequently if necessary to control fire or fire hazards, blowing litter, scavenging, odors, insects, rodents, birds and other vectors.
  - d. The operator shall inspect each application of this product for thorough coverage and cover integrity. If operational problems arise from the use of this product or its method of application, the use of this product shall be suspended until proper corrections are made by the operator, with six inches of compacted daily cover being utilized during this interim period.
  - e. If, at any time, the DNR or permit holder deems impacted soil to be ineffective or otherwise unsatisfactory, the permit holder shall immediately revert to soil or another previously approved alternative daily cover. The permit holder shall immediately notify the DNR's Main and local Field office through both written and verbal notification of this action. This notification is not necessary if use of this product ceases only on a temporary basis, such as during adverse operational or weather conditions.
  - f. Nothing in this provision shall be construed to authorize any waiver from the requirements of any other applicable state solid waste laws or regulations, or any deviations from permit provisions.

- g. This provision shall not be interpreted to release the permit holder from responsibility under the Groundwater Protection Act for remedying conditions resulting from any release of contaminants to the environment.

20. The permit holder shall close the landfill site in accordance with the Closure and Postclosure Plan, dated February 14, 2022, as submitted by HLW Engineering Group, and approved on March 7, 2022, and the following:

- a. Effective control of leachate in unlined units shall be evaluated on a case-by-case basis to determine how to achieve the lowest possible leachate head; and by complying with the environmental monitoring and corrective action requirements for groundwater and surface water.

#### **XI. Permit Renewal and Revision History**

<b>Date</b>	<b>Comment</b>
11/30/2022	Approval of impacted soil as ADC
02/14/2023	Approval of Plans and Specifications for Phase III Cell H
03/30/2023	Approval of Soil/Fly Ash Mixture as ADC
08/09/2023	Approval of Phase III Cell H Plans and Specs
10/05/2023	Approval of Phase III Cell H QC&A Report
01/17/2024	Approval of well abandonment documentation for MW-19, and the Monitoring Well Replacement Plan for MW-19
02/13/2024	Removed provisions for "August 2020 derecho debris" and "fly ash mixed with soil," both used as ADC
02/13/2024	Added language to Special Provision 18 "a"
03/11/2024	Approval of impacted soil to be used as ADC
05/09/2024	Approval of abandonment documentation for AW-4, AW-5, AW-6, and MW-23
06/13/2024	Approval of Construction Documentation for MW-41