

10-5901

SOLID AND HAZARDOUS
WASTE DIVISION

DEC 16 2011

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE)
ADMINISTRATIVE ORDER ON)
CONSENT ISSUED TO THE CITY)
OF DOUGLAS, WYOMING)

Docket No. 4743-10

FILED

DEC 19 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

JOINT STIUPLATION TO MODIFY
ADMINISTRATIVE ORDER ON CONSENT

On October 5, 2010, the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division (DEQ/SHWD) and the City of Douglas (City) entered into an Administrative Order on Consent for the purpose of bringing the City municipal solid waste management facility operations into compliance with the permit requirements of Wyo. Stat. Ann. § 35-11-502 and the DEQ Solid Waste Rules and Regulations.

In order to allow new City staff in positions critical to waste management operations and new City Council members adequate time to become acquainted with the solid waste issues in the City of Douglas as well as adequate time to arrange funding to pay for design and construction of the final cover system and transfer station, the City and DEQ/SHWD now agree that the original Administrative Order on Consent should be modified as follows:

3. Within thirty (30) days after receiving the DEQ/SHWD's written notification under item #2 above, the City of Douglas shall begin conducting bi- monthly meetings with DEQ/SHWD to discuss and develop the status and technical

aspects of the permit application(s). The ~~permit~~ closure application required per item number 2 above shall be submitted to DEQ/SHWD no later than **December 31, 2011**. The transfer station permit application required per item number 2 above shall be submitted to DEQ/SHWD no later than December 31, 2012. Unless canceled by DEQ/SHWD, bi-monthly meetings will continue until the DEQ/SHWD determines that the City's permit applications are complete and technically adequate and the required permit(s) have been issued. The City of Douglas shall appoint an individual with properly delegated decision making authority to attend the bi-monthly meetings.

5. In the event that DEQ/SHWD notifies the City in writing that any item(s) in the application(s) submitted are incomplete or technically inadequate, the City shall submit revisions necessary to make the application(s) technically adequate and to complete any required public notices by not later than ~~December 31, 2012~~ June 30, 2014.

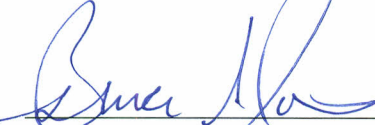
6. The City of Douglas is authorized to operate the landfill in accordance with the existing permit application through ~~December 31, 2012~~ June 30, 2014. Not later than ~~December 31, 2012~~ June 30, 2014, the City shall begin implementation of operating plans in compliance with permit(s) issued by DEQ/SHWD based on application(s) submitted by the City in accordance with this AOC. After ~~December 31, 2012~~ June 30, 2015, any municipal solid waste disposal in the Douglas landfill shall occur in cells constructed with approved engineered containment systems, unless an alternate schedule is approved in writing by the Department.

All other terms of the original Administrative Order on Consent not specifically modified above remain unchanged and in effect as originally ordered by the Environmental Quality Council.

Therefore, the City of Douglas and DEQ/SHWD now jointly stipulate to the above modification of their original October 5, 2010, Administrative Order on Consent and request that the Council enter an order approving, incorporating, and binding the parties to their Joint Stipulation as modified herein.


Dated this 14th day of DECEMBER, 2011.

FOR CITY OF DOUGLAS:



Bruce Jones, Mayor
City of Douglas

FOR WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY:




Carl Anderson, Administrator
Solid and Hazardous Waste Division



John Corra, Director
Department of Environmental Quality

APPROVAL AS TO FORM:



Jeremiah I. Williamson (7-4748)
Attorney for DEQ