

**FILED**

**MAR 14 2011**

Jim Ruby, Executive Secretary  
Environmental Quality Council

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

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

Docket No. 4815-11

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ADMINISTRATIVE ORDER ON CONSENT

W.S. 35-11-502(a) requires a permit from the Wyoming Department of Environmental Quality (DEQ) for construction, operation, modification or closure of a solid waste management facility. The current permit for the City of Rawlins, Wyoming (City) municipal landfill expired on July 1, 2010. Chapter 1, Section 2(e) of the DEQ Solid Waste Rules and Regulations calls for submittal of a permit renewal application containing the information required under Chapter 2 at least 180 days prior to expiration of the current permit. The renewal permit for this facility should have been received by the DEQ no later than January 2, 2010 but has not yet been submitted. Operating without a valid permit is a violation of W.S. 35-11-502 (a)(i).

Pursuant to W.S. 35-11-501 and W.S. 35-11-701, the DEQ Solid & Hazardous Waste Division (SHWD) issues this Administrative Order on Consent (AOC), with the City's consent, to establish the following schedule for the City to take specified actions to bring the City's municipal solid waste management operations into compliance with applicable permit requirements under W.S. 35-11-502 and Chapters 1, 2 and 6 of the DEQ Solid Waste Rules and Regulations.

WHEREFORE IT IS HEREBY ORDERED THAT:

1. No later than **March 1, 2011**, the City shall cease disposal of municipal solid waste, with the exception of medical waste and construction/demolition waste, at the Rawlins Landfill. No later than **June 1, 2011**, the City shall cease disposal of medical waste at the Rawlins Landfill.
2. No later than **June 1, 2011**, the City shall notify the DEQ/SHWD in writing of its decision regarding future operations of the landfill for the disposal of construction/demolition waste. Options include the following:
  - a) renewing the landfill permit to dispose of only construction demolition waste;
  - b) ceasing disposal of all waste at the landfill and closing the landfill;
  - d) conducting municipal solid waste transfer, treatment, or storage activities;
  - e) a specified combination of the alternatives listed above.

3. Within thirty (30) days after receiving the City's written notification under item #2 above, unless additional information is needed, the DEQ/SHWD shall notify the City in writing which type(s) of permit application(s) need(s) to be submitted for the alternative(s) selected by the City.
4. Within thirty (30) days after receiving the DEQ/SHWD's written notification under item #3 above, the City of Rawlins shall begin conducting monthly meetings with DEQ/SHWD to discuss and develop the status and technical aspects of the permit application(s). The permit applications required per item number 3 above shall be submitted to DEQ/SHWD no later than **March 1, 2012**. Unless canceled by DEQ, monthly meetings will continue until the DEQ determines that the City's permit application(s) are complete and technically adequate and the required permit(s) have been issued. The City of Rawlins shall appoint an individual with properly delegated decision making authority to attend the monthly meetings.

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5. Application(s) submitted to DEQ/SHWD shall incorporate a schedule or schedules under which the waste management alternative(s) selected by the City shall be fully implemented, including a schedule for the construction of final cover on municipal solid waste disposal cells.
6. 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 address any identified deficiencies and shall have completed any required public notices by not later than **March 1, 2013**.
7. The City of Rawlins is authorized to operate the landfill in accordance with the existing permit application through **March 1, 2016**. However, after March 1, 2011 only construction/demolition waste may be disposed at the facility. Waste disposed after this deadline is restricted in accordance with the attached memorandum titled *Screening criteria for operation of unlined construction/demolition disposal facilities* (August 24, 2007) and shall be actively screened to ensure that prohibited materials are not included in the waste stream.
8. No later than July 1, 2011, the City of Rawlins shall have completed the installation of intermediate cover over all disposal cells containing municipal solid waste.
9. No later than **March 1, 2013**, 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.
10. The signatories are authorized to bind their respective parties to this AOC.
11. When signed by the signatories for both the DEQ and the City of Rawlins, this AOC shall be filed with the Wyoming Environmental Quality Council (EQC).



12. This AOC is issued with the City's consent, therefore the City will not file a request for hearing before the EQC to contest it under W.S. 35-11-701(c)(ii).

13. The effective date of this AOC is the date it has been signed by the signatories for both the DEQ and the City of Rawlins.

14. The stipulated requirements of this AOC may be modified only by written agreement of both parties.

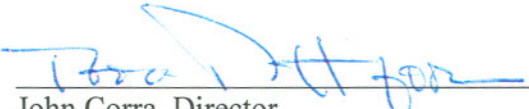
**Authority**

The signatories certify that they are duly authorized to bind their respective Parties to this Administrative Order on Consent.

WE HEREBY CONSENT to the provisions of this Administrative Order on Consent:

FOR THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY:

Date: 2/24, 2011 By:   
Carl Anderson, P.G, PhD, Administrator  
Solid and Hazardous Waste Division

Date: 3/1, 2011 By:   
John Corra, Director  
Department of Environmental Quality

FOR THE CITY OF RAWLINS:

Date: 3/1, 2011 By:   
Ken Klouda, Mayor  
The City of Rawlins

Enclosure: Memorandum - *Screening criteria for operation of unlined construction/demolition disposal facilities* (August 24, 2007)