

12-5902

JUL 13 2012

DEPARTMENT OF ENVIRONMENTAL QUALITY STATE OF WYOMING

FILED JUL 20 2012

IN THE MATTER OF THE) ADMINISTRATIVE ORDER ON) CONSENT ISSUED TO THE TOWN) OF MANVILLE, WYOMING)

Docket No. 5024-12

Jim Ruby, Executive Secretary Environmental Quality Council

ADMINISTRATIVE ORDER ON CONSENT

W.S. 35-11-502(a) requires a permit from the Wyoming Department of Environmental Quality (DEQ) for the construction, operation, modification, or closure of a solid waste management facility. The current permit for the Town of Manville #2 (Town) municipal landfill, SHWD File #10.376, expired on October 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 April 2, 2010, but has not yet been received. Operating without a valid permit is a violation of W.S. 35-11-502 (a)(i). On October 18, 2010, the Town verbally notified the DEQ that disposal activities had ceased at the landfill, and all solid waste was being transferred to another permitted solid waste disposal facility. Because all waste disposal activities have ceased, a closure permit application is needed for this facility.

Pursuant to W.S. 35-11-501 and W.S. 35-11-701, the DEQ Solid & Hazardous Waste Division (SHWD) is issuing this Administrative Order on Consent (AOC), with the Town's consent, to establish the following schedule for the Town to take specified actions to bring the Town'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 October 1, 2012, the Town shall have completed the installation of intermediate cover over all disposal cells containing municipal solid waste.
2. Within sixty (60) days after execution of this AOC, the Town and the DEQ/SHWD shall begin conducting bi-monthly (every other month) meetings regarding actions need to complete a closure permit application for the Manville #2 landfill. The Town shall appoint an individual with properly delegated decision making authority to attend the bi-monthly meetings. Unless canceled with concurrence of both parties, bi-monthly meetings will continue until the DEQ determines that the Town's closure permit application is complete and

technically adequate in accordance with DEQ/SHWD rules and regulations and the required permit has been issued.


3. No later than **June 1, 2013**, the Town shall submit a closure permit application for the Manville #2 landfill to the DEQ/SHWD.
4. The closure permit application submitted to DEQ/SHWD shall incorporate a schedule for facility closure, including a schedule for identifying and obtaining financial assistance and the construction of final cover on municipal solid waste disposal cells.
5. In the event that DEQ/SHWD notifies the Town in writing that any item(s) in the closure permit application submitted are incomplete or technically inadequate, the Town shall submit revisions necessary to address any identified deficiencies and shall have completed any required public notice by no later than **September 1, 2014**.
6. The signatories are authorized to bind their respective parties to this AOC.
7. After execution by the DEQ and the Town, this AOC shall be filed with the Wyoming Environmental Quality Council (EQC).
8. This AOC is issued with the Town's consent, therefore the Town will not file a request for hearing before the EQC to contest the validity of its terms under W.S. 35-11-701(c)(ii). However, the Town reserves the right to request a hearing before the EQC to contest the later enforcement of terms of this order.
9. The effective date of this AOC is the date the final signature is attached.
10. 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: 7/17, 2012 By: 
Carl Anderson, Administrator
Solid and Hazardous Waste Division

Date: ~~7/17~~ 7/19/12, 2012 By: 
John Corra, Director
Department of Environmental Quality

FOR THE TOWN OF MANVILLE:

Date: 6-7-, 2012 By: 
Richard Schroeder, Mayor
The Town of Manville

