

State of Tennessee
Department of Environment
and Conservation
Division of Solid Waste Management

Solid Waste Management Program
401 Church Street
5th Floor L & C Tower
Nashville, Tennessee 37243-1535
615-532-0780

**REGISTRATION AUTHORIZING SOLID WASTE
DISPOSAL ACTIVITIES IN
TENNESSEE**

Registration Number: IDL 03-0212

Date Issued: October 5, 2011

Issued to: Environmental Waste Solutions, LLC

Activities Authorized: Construction, operation, closure, and post-closure care of a Class II disposal facility located in Benton County, 200 Omar Circle, Camden, Tennessee, for the disposal of secondary Aluminum smelter wastes, shredded automotive tires, construction/demolition waste, waste derived from coal combustion, and/or certain special wastes approved in writing by the Department.

By my signature this registration is issued in compliance with the provisions of the Tennessee Solid Waste Disposal Act (Tennessee Code Annotated, Section 68-211-101, et seq.), and applicable regulations developed pursuant to this law and in effect; and in accordance with the conditions and other terms set forth in this registration document and attached Registration Conditions.



Mike Apple, Director
Division of Solid Waste Management

PERMIT TERMS AND CONDITIONS

1. Re-certification by Permittee for Facilities Whose Initial Operation is Delayed - If the facility does not initiate construction and/or operation within one year of the date of this permit, the permittee shall re-certify the application in accordance with Rule 1200-1-7-.02(2)(d).
2. Duty to Comply - The permittee shall comply with all conditions of this permit, unless otherwise authorized by the Department. Any permit noncompliance, except as otherwise authorized by the Department, constitutes a violation of the Act and is grounds for enforcement action, or for permit termination, revocation and re-issuance, or modification.
3. Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. Duty to Mitigate - In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent adverse impacts on human health or the environment.
5. Proper Operation and Maintenance - The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.
6. Permit Actions - This permit may be modified, revoked and re-issued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any existing permit condition.
7. Property Rights - This permit does not convey any property rights of any sort, or any exclusive privilege.
8. Duty to Provide Information - The permittee shall furnish to the Commissioner, within a reasonable time, any relevant information which the Commissioner may request to determine whether cause exists for modifying, revoking and re-issuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Commissioner, upon request, copies required to be kept by this permit. All records, including a copy of this permit and the approved Part I and Part II application, shall be maintained at the facility or other locations as approved by the Commissioner.

9. Inspection and Entry - The permittee shall allow the Commissioner, or an authorized representative, to:

- (i) Enter at any reasonable time the permittee's premises where a regulated facility or activity is located or conducted, or where records shall be kept under the conditions of this permit;
- (ii) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this permit;
- (iii) Inspect at any reasonable time any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit (Note: If requested by the permittee at the time of sampling, the Commissioner shall split with the permittee any samples taken.);
- (iv) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Act any substances or parameters at any location; and
- (v) Make photographs for the purpose of documenting items of compliance or noncompliance at waste management units, or where appropriate to protect legitimate proprietary interests, require the permittee to make such photos for the Commissioner.

10. Monitoring and Records

- (i) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (ii) The permittee shall retain records of all required monitoring information. The permittee shall maintain records for all groundwater monitoring wells and associated groundwater surface elevations, for the active life of the facility, and for the post-closure care period as well. This period may be extended by request of the Commissioner at any time.
- (iii) Records of monitoring information shall include:
 - (I) The date, exact place, and time of sampling or measurements;
 - (II) The individual(s) who performed the sampling or measurements;
 - (III) The date(s) analyses were performed;
 - (IV) The individual(s) who performed the analyses;
 - (V) The analytical techniques or methods used (including equipment used); and
 - (VI) The results of such analyses.

11. Reporting Requirements

- (i) The permittee shall give notice to the Commissioner as soon as possible of any planned physical alterations or additions to the permitted facility.
- (ii) Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (iii) The permittee shall report orally within 24 hours from the time the permittee becomes aware of the circumstances of any release, discharge, fire, or explosion from the permitted solid waste facility which could threaten the environment or human health outside the facility. Such report shall be made to the Tennessee Emergency Management Agency, using the 24-hour toll-free number 1-800-262-3300.
- (iv) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Commissioner, it shall promptly submit such facts or information.

12. Periodic Survey

- (i) Within 60 days of his receipt of the written request of the Commissioner to do so, the permittee shall cause to be conducted a survey of active and/or closed portions of his facility in order to determine if operations (e.g., cut and fill boundaries, grades) are being conducted in accordance with the approved design and operational plans. The permittee shall report the results of such survey to the Commissioner within 90 days of his receipt of the Commissioner's request.
- (ii) The Commissioner may request such a survey:
 - (I) If he has reason to believe that operations are being conducted in a manner that significantly deviates from the approved plans; and/or
 - (II) As a periodic verification (but no more than annually) that operations are being conducted in accordance with the approved plans.
- (iii) Any survey performed pursuant to this part shall be performed by a qualified land surveyor duly authorized under Tennessee law to conduct such activities.

13. Duration of Permits - This permit shall be effective for the operating life of the facility.

14. Effect of Permit - The issuance of this permit does not authorize the permittee to injure persons or property or to invade other private rights, or to violate any local law or regulations.

15. Transfer, Modification, Revocation and Re-issuance, and Termination of Permits - This permit may be transferred, modified, revoked or reissued, or terminated as set forth in 1200-1-7-.02(5).

16. Applicable Standards - All applicable facility standards of Rule Chapter 1200-1-7, Solid Waste Processing and Disposal Amendments shall be considered conditions of this registration.
17. Penalties - Any violation of the conditions or other terms of this registration may subject the registrant to the penalties set forth in Tennessee Code Annotated Section 68-211-114 and 68-211-117.
18. Hazardous Waste Restriction - No hazardous waste, as regulated by the Tennessee Hazardous Waste Management Act (TCA Section 68-212-101, et seq.), and the Rules adopted pursuant to that Act, shall be accepted at this facility.
19. Construction and Operation - The permittee shall construct and operate the facility in accordance with the approved engineering plans and operations manual which becomes a condition of this permit as Attachment I.
20. Financial Assurance - Prior to beginning operation, the permittee shall file a Financial Assurance Instrument in accordance with Rule 1200-1-7-.03.
21. Special Waste - Except as specifically provided for in the Facility-Specific Conditions of this permit, the permittee may not accept for disposal any special waste unless approved to do so in writing by this Department.
22. Automobile Batteries - This facility is specifically prohibited from accepting automobile batteries for disposal.

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VARIANCES AND WAIVERS

The following variances or waivers from standards or requirements in Rule 1200-1-7, Solid Waste Processing and Disposal Amendments, are hereby granted in accordance with Rule 1200-1-7-.01(5):

None

FACILITY-SPECIFIC PERMIT CONDITIONS

The following conditions of this permit are established pursuant to Rule 1200-1-7-.02(4)(b):

1. Prior to initial placement of waste under this permit modification, the Permittee shall submit for approval a landfill gas emission detection and repair plan to the Division of Solid Waste Management. Upon approval, the plan will become part of the Operations Manual. The objective of the plan is to gauge the effectiveness of daily, intermediate and final cover systems to minimize gas releases as well as to maximize the effectiveness of the gas capture and treatment system. The program shall include provisions for the routine monitoring of all waste disposal areas for gas. Additionally, the plan shall contain provisions for routine instrument calibration in accordance with manufacturer recommendations. Further, the plan will include provisions for the mitigation of any identified area of gas emission.
2. Prior to initial placement of waste under this permit modification, the Permittee shall submit for approval an air monitoring plan to the Division of Solid Waste Management. Upon approval, the plan will become a part of the Operations Manual.
3. The Permittee shall receive a separate Special Waste Approval for each generator of a secondary aluminum smelter waste stream to be disposed of at the facility. All existing special waste approvals for smelter waste streams will be reevaluated 180 days after the effective date of this permit.
4. Within one year of the effective date of this permit, the Permittee shall have, during hours of operation, at least one operator on duty who is a Tennessee certified landfill operator.
5. Prior to initial waste placement under this permit, a dust curtain or similar measure shall be installed on the storage building to effectively enclose the building during all waste loading and unloading operations.
6. Within thirty (30) days of the effective date of this permit, the Permittee shall submit for approval a plan for installing additional controls on the salt cake storage building to the Division of Solid Waste Management. The objective of the plan is to minimize particulate emissions of salt cake and baghouse dust. The plan shall include a procedure for minimizing dust generation along service roads and at the working face. The plan shall include a construction schedule as appropriate. Upon approval, the plan will become part of the Operations Manual.
7. Service roads between the facility entrance and the working face shall be patrolled routinely, and all spilled salt cake and baghouse dust cake shall be picked up immediately and either landfilled or placed into the storage building.
8. All secondary aluminum wastes shall be placed into a cell that receives solely aluminum wastes. No commingling of aluminum wastes with other wastes may take place unless approved in writing by the Division of Solid Waste Management.

9. In the event that ground water is encountered during excavation activities, the Division of Solid Waste Management shall be notified immediately.
10. Upon achieving the base grade of excavation for each phase, the Permittee shall notify the Division of Solid Waste Management (Division). The Division shall inspect the base grade for soft spots, wet zones, bedrock, and voids prior to buffer/liner construction. The Division may require further investigation if such conditions are encountered.
11. Commencement of final cover construction shall begin within thirty (30) days of reaching final grade on any portion of the disposal facility. Final cover construction shall be completed within one hundred and twenty (120) days of reaching final grade on any portion of the disposal facility.
12. The as built construction quality assurance documentation generated during construction of each phase shall be submitted to the Division of Solid Waste Management, and approval gained prior to waste placement in each phase.
13. Daily cover shall consist of a minimum of six (6) inches of compacted clay soil capable of being compacted to achieve a low permeability. The Permittee shall submit documentation prior to fill operations that the selected borrow area or any new borrow source contains soil meeting this characteristic.
14. In the event that an operating area is not subject to fill operations for more than thirty (30) days, an intermediate compacted soil cover of twelve (12) inches and a synthetic rain cover will be placed over the waste.
15. No baghouse dust may be placed within four (4) feet of the top of two (2) foot thick drainage layer over the liner system. The composition of this four (4) foot thick waste layer shall be approved by the Division of Solid Waste Management before placement commences.
16. Random inspection, including measurement of temperature, of twenty percent (20%) of containers of baghouse dust shall be performed to prevent containers undergoing exothermic reaction from being landfilled. Records of these inspections shall be kept at the landfill site.
17. Recirculation of leachate is not allowed within the fill area.
18. All leachate storage tanks shall be emptied, inspected, and certified fit for use at a minimum of once per year for the duration of use of the leachate storage tanks.
19. Measures shall be implemented to minimize fugitive dust at the working face and at any areas at which trucks are dumping aluminum smelter waste.
20. All sediment ponds shall be cleaned when the volume of sediment in the structure is equal to one-half the design sediment storage capacity of the structure. This sediment storage threshold shall be visibly marked by a structure within the sediment pond.
21. The storm water control structures shall be inspected after every rain event in excess of one (1) inch.