



**SOLID WASTE  
RULES AND REGULATIONS**

**Chapter 6**  
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## CHAPTER 6

### TRANSFER, TREATMENT, AND STORAGE FACILITY REGULATIONS

#### Section 1. In General.

(a) Authority: The authority for the rules and regulations promulgated in this chapter is the Wyoming Environmental Quality Act, W.S. 35-11-101 et seq.

~~(b) Applicability: This chapter governs facilities for the transfer, treatment, and storage of nonhazardous solid wastes.~~

~~(c) Objective: The objective of these rules and regulations is to set forth permit application requirements and to establish minimum standards for the location, design, construction, operation, monitoring, closure, and post-closure maintenance of treatment, transfer, and storage facilities.~~

~~(d) Severability: If any section or provision of these regulations, or the application of that section or provision to any person, situation, or circumstance is adjudged invalid for any reason, the adjudication does not affect any other section or provision of these regulations or the application of the adjudicated section or provision to any other person, situation, or circumstance. The Environmental Quality Council declares that it would have adopted the valid portions and applications of these regulations without the invalid part, and to this end the provisions of these regulations are declared to be severable.~~

~~(e) Reserved.[DB1]~~

~~(ab) Permit Ttransition: The following rules concerning permit application submittals under Chapter 1, Section 2 will apply.[DB2].~~

#### (i) Existing facilities:

(A) Existing facilities that have received wastes after the effective date of these regulations:

(I) The operator of any facility with a complete application or a valid permit or an authorization that has not expired by the effective date of these regulations shall either:

(1) Submit a renewal application before the existing permit or authorization expires; or

(2) Cease receipt of wastes before the existing permit or authorization expires and close in conformance with the closure standards in

~~Section 7 of this~~<sup>[DB3]</sup> chapter.

(II) The operator of any facility without a complete application or a permit or authorization that has expired by the effective date of these regulations shall either:

(1) Submit a renewal application ~~after the effective date of these regulations, as specified by the administrator, but no~~<sup>[DB4]</sup> later six (6) months after the effective date of these regulations; or

(2) Cease receipt of wastes within six (6) months after the effective date of these regulations and close in conformance with the closure standards in ~~Section 7 of this~~<sup>[DB5]</sup> chapter.

(B) Existing facilities that have not received wastes after the effective date of these regulations: The operator may be required to submit a closure ~~permit application plan~~ <sup>[DB6]</sup> upon request by the ~~a~~<sup>A</sup>Administrator. The ~~a~~<sup>A</sup>Administrator request such an ~~application plan~~ whenever the ~~a~~<sup>A</sup>Administrator has reason to believe that health and safety hazards are present, ~~or there is has been~~ evidence of environmental contamination, ~~or the facility does not comply with the location, monitoring or closure standards of this chapter~~<sup>[DB7]</sup>.

(ii) New facilities: The operator of any new facility shall submit an application ~~as in accordance with the permit application procedures~~ specified in Chapter 1, ~~Section 2(b) and 2(c), or Section 2(j)~~<sup>[DB8]</sup>, and shall obtain a permit prior to

(iii) Closing facilities:

(A) Anticipated closure: The operator of any facility with a valid permit on the effective date of these regulations ~~or a valid permit or renewal permit issued under Chapter 1, Section 2(d), Section 2(f) or Section 2(j)~~, shall provide written notice of the intent to close to the Administrator at least thirty (30) days prior to commencing closure and close the facility in conformance with the closure standards in the facility's permit and this Chapter. Closure shall be completed within ninety (90) days, unless additional time is granted by the Administrator. Within thirty (30) after closure activities have been completed, the operator shall submit written documentation of closure to the Administrator. When the Administrator determines that closure has been properly completed and there are no health and safety hazards or environmental contamination, the permit shall be ~~terminated~~<sup>[DB9]</sup> and financial assurance will no ~~necessary~~<sup>[DB10]</sup> submit a closure permit application to the administrator between 270 and days prior to the anticipated facility closure;

(B) Unanticipated closure: In the event any facility ceases operation, as determined by nonreceipt of solid wastes for a continuous nine (9) month period or any continuous one (1) year period for petroleum-contaminated soils land treatment facilities and mobile transfer, treatment and storage facilities, the

facility operator<sup>[DB11]</sup> shall provide written notification to the aAdministrator no later than thirty days after the end of such nine (9) month or one (1) year period and close the facility in conformance with the closure standards in the facility's permit and this Chapter. Closure shall be completed within ninety (90) days, unless additional time is granted by the Administrator. Within thirty (30) after closure activities have been completed, the operator shall submit written documentation of closure to the Administrator. When the Administrator determines that closure has been properly completed and there are no health and safety hazards or environmental contamination, the permit shall be terminated and financial assurance will no longer be necessary.~~This notification shall be accompanied by a closure permit application unless the administrator approves interim measures with the delayed final closure for good cause upon application by the operator~~<sup>[DB12]</sup>;

(C) Mobile transfer, treatment and storage facility closure: The operator of any mobile facility ~~with a valid permit or authorization~~ shall provide written notification to the aAdministrator within thirty (30) days ~~if~~<sup>[DB13]</sup> the facility operation is discontinued. ~~prior to the expiration of the permit or authorization. This notification does not require submission of a closure permit application.~~

~~(g)~~ Permit ~~terms~~<sup>[DB14]</sup>:

(i) Permits shall be issued for the operating life of the facility through closure and completion of any required remediation activities, as approved by the Administrator.

~~(ii)~~ Mobile ~~F~~facilities<sup>[DB15]</sup> shall not be operated in a single location more than one (1) year, unless the aAdministrator provides specific written authorization;

~~(i) New permits will be issued for an eight (8) year term;~~

~~(ii) Renewal permits will be issued for an eight (8) year term;~~

~~(iii) All closure permits will be issued for a one (1) year term unless the administrator approves an extended closure period for good cause.~~

Section 2. Permit Application Requirements. All facilities shall comply with the applicable standards in this chapter, whether or not detailed information must be submitted in a permit application<sup>[DB16]</sup>.

~~(b)~~<sup>[DB17]</sup> ~~Permit application requirements for transfer, treatment and storage facilities:~~

(ia) Permit application forms: ~~The~~ All permit applications shall contain a completed permit application form. All permit application forms shall be signed by the operator, the landowner and any real property lien holder of public record. All

applications shall be signed by the operator under oath subject to penalty of perjury. All persons signing the application shall be duly authorized agents.

(i) The following persons are considered duly authorized agents:

~~\_\_\_\_\_~~ (A) For a municipality, state, federal or other public agency, by the head of the agency or ranking elected official;

~~\_\_\_\_\_~~ (B) For corporations, at least two principal officers;

~~\_\_\_\_\_~~ (C) For a sole proprietorship or partnership, a proprietor or general partner, respectively.

~~\_\_\_\_\_~~ (ii) Except for Low Hazard/Low Volume (LH/LV) facilities, All permit applications shall be prepared under the supervision of a professional engineer registered in the State of Wyoming. Except for LH/LV facilities, All permit application forms shall be stamped, dated and signed by a professional engineer. In addition, all portions of the permit application which require geological services or work shall be stamped, signed and dated by a professional geologist.

(b) Low Hazard/Low Volume facility permit applications: In addition to a permit application form, LH/LV permit applications shall include:

(iv) ~~An~~<sup>[DB18]</sup> original USGS map identifying the location of the facility. the facility is located within a city or town, a map of the city or town may be used in lieu of an original USGS map;

(ii) A demonstration that the facility meets the location standards in Section 4<sup>[DB19]</sup>.

(iii) Except for municipally operated facilities, a<sup>[DB20]</sup> detailed the tasks to be completed in order to properly close the facility, including but not limited to the removal and proper management of the maximum amount of wastes, both treated and untreated, which may be stored at the facility, cleaning of all solid waste management units and equipment, and reclamation of the site.

(iviii) ~~The~~<sup>[DB21]</sup> ~~i~~ Information to verify compliance with Chapter 7, ~~Assurance~~, including an estimate of 3rd-party costs associated with facility closure tasks, and an appropriate financial assurance mechanism.

~~\_\_\_\_\_~~ (iii) ~~A~~<sup>[DB22]</sup> ~~written report shall be submitted containing the following information:~~

(c) Mobil and full size fixed transfer, treatment, and storage facility permit

applications: In addition to a permit application form, a written application shall demonstrate compliance with the applicable requirements of Sections 3-17. If any standard or requirement is not applicable to the facility, the permit application shall explain why the standard or requirement is not applicable.

(ed) Renewal<sup>[DB23]</sup> applications ~~requirement~~: Renewal applications shall be submitted as required in Chapter 1, ~~Section 2(e) or (j)~~, and shall contain the following information:

(i) ~~Each renewal application submitted in accordance with the requirements of subsection (a) of this section shall include a~~ A compilation of any available previous permit application materials and supplemental information updated and revised as necessary to describe any ~~minor and major~~ amendments and fulfill the information requirements specified in this Chapter~~subsection (b), (c), or (d) of this section~~, except for ~~Sections 2(b)(iii)(E) [surface ownership and ], 2(b)(iii)(F) [location standards], and 2(c)(iii)(I) [site suitability]~~. The applicant ~~may~~shall have the option to submit copies of only the updated and revised portion of the previous application, if the revised and updated pages are appropriately numbered and dated to facilitate incorporation into the previous permit document;

(ii) Any necessary plan revisions and~~for the upcoming permit renewal period.~~ Any requests for approval of amendments ~~which describe major changes in facility operation should be included;~~

~~\_\_\_\_\_ (iii) If necessary, detailed construction and operation specifications for the upcoming permit period; and~~

~~\_\_\_\_\_ (iv) A description of steps taken to mitigate or correct practices that have resulted in past operational deficiencies.~~

### Section 3. General Facility Information.

(Aa) Requirements for mobile and full size fixed facilities:

(i) The name, address and telephone number of the operator of the facility to whom the permit would be issued, and a listing of any administrative order, civil or administrative penalty assessment, bond forfeiture, misdemeanor or felony conviction, or court proceeding, for any violations of any local, state or federal law relating to environmental quality or criminal racketeering, in which the applicant (including any partners in a partnership or executive officers in any corporation, if the applicant is a partnership or corporation) has been or is currently involved;

(Bii) The ~~name~~position title, address, and telephone number of the solid waste manager. ~~A description of the basic training and examination program, to be used by the operator to assure compliance with the requirements of this chapter shall be included. The description shall include a specific listing of the training courses, and the~~



~~required frequency of attendance of each course by the solid waste manager~~<sup>[DB24]</sup>;

~~(Diii)~~ A brief narrative describing the facility, the type of waste transfer, treatment and storage that is planned, including but not limited to chemical, physical, biological, and thermal activities. A descriptive statement of the procedures and processes to be used, and the type, amount, and source of incoming waste shall be provided. The narrative shall also describe the service area of the facility~~.~~;

(b) Additional requirements for full size fixed facilities

~~(Ei)~~ The legal description of the property to be used as a transfer, treatment and storage facility. The complete legal description shall consist of a plat and legal description, monumented and signed in accordance with Wyoming statutes by a Wyoming licensed land surveyor;

~~(Eii)~~ Information describing surface ownership of the site and all lands adjacent to the facility boundary;

~~(F) A~~<sup>[DB25]</sup> ~~demonstration that the facility meets the location standards specified under Section 3 of this chapter;~~

~~(G) Detailed~~<sup>[DB26]</sup> ~~information describing the site's be required if the waste management occurs outside an enclosed building;~~

~~(H) An~~<sup>[DB27]</sup> ~~evaluation of the facility's potential to impact and ground water quality, based on the facility design and the site hydrogeologic setting;~~

~~(I) Any information known to the applicant that would limit the site's suitability as a transfer, treatment and storage~~<sup>[DB28]</sup> ~~facility;~~

~~(J) A~~<sup>[DB29]</sup> ~~detailed description of the facility design, construction and operating procedures, including the following information:~~

~~(I) The~~<sup>[DB30]</sup> ~~service area (source of wastes) and the type of wastes that will be managed at the facility;~~

~~(II) A description of the facility access~~<sup>[DB31]</sup> ~~controls;~~

~~(III) A description of the waste screening measures used to prevent the management of unauthorized wastes. The waste screening measures may include specific waste testing procedures to verify that only authorized wastes are accepted at the~~<sup>[DB32]</sup> ~~facility;~~

~~(IV) A description of the size, type and number and~~

~~purpose of all solid waste management units and equipment. This information shall also include a description of the capacity of the solid waste management units and equipment in terms of how much waste can be transferred and treated per hour, day, month or year and the maximum quantity of wastes, both treated and untreated, that can be stored in each solid waste management unit~~<sup>[DB33]</sup>;

~~(V) A description of secondary containment systems and leak detection systems~~<sup>[DB34]</sup>;

~~(VI) A description of any surface water structures~~<sup>[DB35]</sup>;

~~(VII) A description of the on-site traffic control~~

~~(VIII) A description of the fire and other emergency protection measures~~<sup>[DB37]</sup>;

~~(IX) A description of the signs that will be posted to identify the facility, solid waste management units and equipment~~<sup>[DB38]</sup>;

~~(X) A description of the litter control program, including the frequency of waste collection to prevent the site from becoming unsightly~~<sup>[DB39]</sup>;

~~(XI) A description of the measures that will be taken at the site to control vectors and potential odors, dust, and noise that could occur as a result of the waste management activity~~<sup>[DB40]</sup>;

~~(XII) A description of the characterization and disposal of any wastes generated from any waste management processes~~<sup>[DB41]</sup>;

~~(XIII) A description of the methods used for characterization and disposal of wastewaters generated from cleaning solid waste management units and equipment~~<sup>[DB42]</sup>;

~~(XIV) A description of the confirmation sampling and analysis program used to verify that the wastes have been properly treated~~<sup>[DB43]</sup>;

~~(XV) Any other information necessary to demonstrate compliance with the design, construction and operating standards specified in Sections 4 and 5 of this chapter~~<sup>[DB44]</sup>;

~~(K) A detailed description of the environmental monitoring program~~<sup>[DB45]</sup> including a description of the monitoring well location, design, construction and development. A description of the groundwater sampling program shall be provided including sampling frequency, test parameters, sampling procedures, test methods and quality control;

~~(L) A[DB46] description of how the facility will be closed, the following information:~~

~~(I) A[DB47] description of the land use anticipated after~~

~~(II) A[DB48] detailed description of the tasks to be order to properly close the facility, including but not limited to the removal and proper management of the maximum amount of wastes, both treated and untreated, which may be stored at the facility, cleaning of all solid waste management units and equipment, and reclamation of the site;~~

~~(III) A[DB49] commitment to publish notice of closure to public, if the facility is used by the general public;~~

~~(IV) A[DB50] detailed description of the environmental monitoring program during closure and the method and schedule by which the environmental monitoring systems will be abandoned;~~

~~(V) The[DB51] length of time that the closed facility will maintain access restrictions to prevent entry by the public and large animals;~~

~~(VI) Any[DB52] other information requested by the administrator to verify that an adequate closure has been accomplished.~~

~~(iv) An[DB53] original USGS map or aerial photograph of the area shall be submitted showing land ownership, land use and zoning within one half mile of the facility, unless there is an incinerator at the waste management site, in which case the map or aerial photograph shall show land ownership, land use and zoning within one mile of the facility. The map or photograph shall be of sufficient scale to show all city boundaries, occupied dwellings, schools, hospitals, industrial buildings, water wells, water courses, roads and other applicable details and shall indicate the general topography;~~

~~(v) A[DB54] general facility plot plan at a scale not greater than 200 feet to the inch with five foot contour intervals, shall be submitted. If all waste management activities occur within a single building, a scaled floor plan can be used in lieu of a general facility plot plan. The general facility plot plan shall illustrate the following features:~~

~~(A) Facility boundaries, including any buffer zones and fire lanes proposed between the solid waste permit boundary and the property boundary;~~

~~(B) Points of access;~~

~~(C) Working area/perimeter fence location;~~

- ~~(D) Location of all solid waste management units and equipment;~~
- ~~(E) Locations of any buildings to house equipment or for other uses;~~
- ~~(F) The location of any surface water structures;~~
- ~~(G) The location of environmental monitoring devices;~~
- ~~(H) Any other facility features requested by the administrator.~~

~~(vi) Cross[DB55] sections and drawing details may be requested with specifications to describe:~~

- ~~(A) The movement of wastes through the waste management facility, including the points at which process wastes are generated;~~
- ~~(B) Site access roads;~~
- ~~(C) Solid waste management units and equipment;~~
- ~~(D) Secondary containment structures and leak detection systems;~~
- ~~(E) Surface water structures;~~
- ~~(F) Environmental monitoring systems;~~
- ~~(G) Any other design and construction details requested by the administrator.~~

~~(vii) Blank[DB56] copies of any logs, forms or reports used by the facility to comply with the recordkeeping requirements of Section 5 of this chapter, including a description of where these records will be located;~~

~~(viii) The[DB57] information to verify compliance with Chapter 7, Financial Assurance, including an estimate of 3rd party costs associated with facility closure tasks and an appropriate financial assurance mechanism;~~

~~(ix) Information[DB58] describing compliance with standards for the transfer, treatment and storage of any special waste as provided in Chapter 8, Special Waste Management Standards;~~

~~(x) If[DB59] any of the permit application requirements of this subsection are not applicable to the facility, the application shall contain a written explanation as~~

to why the requirement is not applicable.

~~(c) [DB60] Permit application requirements for low hazard and low volume transfer, treatment and storage facilities, excluding mobile transfer, treatment and storage facilities:~~

~~(i) The [DB61] permit application shall contain a completed permit form. All permit application forms shall be signed by the operator, the landowner and any real property lien holder of public record. All applications shall be signed by the operator under oath subject to penalty of perjury. All persons signing the application shall be duly authorized agents. The following persons are considered duly authorized agents:~~

~~(A) For a municipality, state, federal or other public agency, by the head of the agency or ranking elected official;~~

~~(B) For corporations, at least two principal officers;~~

~~(C) For a sole proprietorship or partnership, a proprietor or general partner, respectively;~~

~~(ii) Reserved [DB62];~~

~~(iii) Reserved;~~

~~(iv) An [DB63] original USGS map identifying the location of the facility. If the facility is located within a city or town, a map of the city or town may be used in lieu of an original USGS map;~~

~~(v) Reserved;~~

~~(vi) Reserved;~~

~~(vii) Reserved;~~

~~(viii) The [DB64] information to verify compliance with Chapter 7, Financial Assurance, including an estimate of 3rd party costs associated with facility closure tasks, and an appropriate financial assurance mechanism.~~

~~(d) Permit application requirements [DB65] for mobile transfer, treatment and storage facilities:~~

~~(i) The [DB66] permit application shall contain a completed permit application form. All permit application forms shall be signed by the operator. All applications shall be signed by the operator under oath subject to penalty of perjury. All persons signing the application shall be duly authorized agents. The following~~

~~persons are considered duly authorized agents:~~

~~(A) For a municipality, state, federal or other public agency, by the head of the agency or ranking elected official;~~

~~(B) For corporations, at least two principal officers;~~

~~(C) For a sole proprietorship or partnership, a proprietor or general partner, respectively.~~

~~(ii) Reserved;~~

~~(iii) A [DB67] written report shall be submitted containing the following information:~~

~~(A) The name, address and telephone number of the operator of the facility to whom the permit would be issued, and a listing of any administrative order, civil or administrative penalty assessment, bond forfeiture, misdemeanor or felony conviction, or court proceeding, for any violations of any local, state or federal law relating to environmental quality or criminal racketeering, in which the applicant (including any partners in a partnership or executive officers in any corporation, if the applicant is a partnership or corporation) has been or is currently involved;~~

~~(B) The name, address, and telephone number of the solid waste manager. A description of the basic training and examination program, to be used by the operator to assure compliance with the requirements of this chapter shall be included. The description shall include a specific listing of the training courses, and the required frequency of attendance of each course by the solid waste manager;~~

~~(C) A detailed description of the facility design, construction and operating procedures, including the following information:~~

~~(I) The service area (source of wastes) and the type of waste that will be managed at the facility;~~

~~(II) A description of how access to the facility will be controlled. If access control will be determined on a site by site basis, the application shall contain a commitment to comply with the applicable design and construction and operating standards;~~

~~(III) A description of the waste screening measures used to prevent the management of unauthorized wastes. The waste screening measures may include specific waste testing procedures to verify that only authorized wastes are accepted at the facility;~~

~~(IV) A description of the size, type, number and purpose~~

~~of all solid waste management units and equipment. This information shall also include a description of the capacity of the solid waste management units and equipment in terms of how much waste can be transferred and treated per hour, day, month or year and the maximum quantity of wastes (treated and untreated) that can be stored in each solid waste management unit;~~

~~(V) A description of secondary containment structures and leak detection systems;~~

~~(VI) A description of the fire and other emergency protection measures;~~

~~(VII) A description of the signs that will be posted to identify the facility, solid waste management units and equipment;~~

~~(VIII) A description of the litter control program, including the frequency of waste collection to prevent the site from becoming unsightly;~~

~~(IX) A description of the measures that will be taken at the site to control vectors and potential odors, dust, and noise that could occur as a result of the waste management activity;~~

~~(X) A description of the characterization and disposal of any wastes generated from any waste management processes, if the operator of the facility will be responsible for managing these wastes. If waste characterization and disposal procedures will be determined on a site by site basis, the application shall contain a commitment to comply with the applicable operating standard;~~

~~(XI) A description of the methods used for characterization and disposal of wastewaters generated from cleaning the facility, if the operator of the facility will be responsible for managing these wastes. If wastewater characterization and disposal procedures will be determined on a site by site basis, the application shall contain a commitment to comply with the applicable operating standard;~~

~~(XII) A description of the confirmation sampling and analysis program used to verify that the wastes have been properly treated, if the operator of the facility will be responsible for managing these wastes. If confirmation sampling and analysis procedures will be determined on a site by site basis, the application shall contain a commitment to comply with the applicable operating standard;~~

~~(XIII) Any other information requested by the administrator which is necessary to demonstrate compliance with the design, construction and operating standards specified in Sections 4 and 5 of this chapter.~~

~~(iv) Cross sections and drawing details may be requested with sufficient specifications to describe:~~

~~(A) The movement of wastes through the facility, including the points at which process wastes are generated;~~

~~(B) Solid waste management units and equipment;~~

~~(C) Secondary containment systems and leak detection systems;~~

~~(D) Any other design details requested by the administrator.~~

~~(vii) Blank copies of any logs, forms or reports used by the facility to comply with the recordkeeping requirements of Section 5 of this chapter, including a description of where these records will be located;~~

~~(viii) Reserved;~~

~~(ix) Information<sup>[DB68]</sup> describing compliance with standards for the transfer, treatment and storage of any special waste as provided in Chapter 8, Special Waste Management Standards;~~

~~(x) If<sup>[DB69]</sup> any of the permit application requirements of this subsection are not applicable to the facility, the application shall contain a written explanation as to why the requirement is not applicable.~~

~~(e) Renewal application requirement<sup>[DB70]</sup>: Renewal applications shall be submitted as required in Chapter 1, Section 2(e) or (j), and shall contain the following information:~~

~~(i) Each renewal application submitted in accordance with the requirements of subsection (a) of this section shall include a compilation of any available previous permit application materials and supplemental information updated and revised as necessary to describe any minor and major amendments and fulfill the information requirements specified in subsection (b), (c), or (d) of this section, except for Sections 2(b)(iii)(E) [surface ownership], 2(b)(iii)(F) [location standards], and 2(c)(iii)(I) [site suitability]. The applicant shall have the option to submit copies of only the updated and revised portion of the previous application, if the revised and updated pages are appropriately numbered and dated to facilitate incorporation into the previous permit document;~~

~~(ii) Any necessary plan revisions for the upcoming permit renewal period. Any requests for approval of amendments which describe major changes in facility operation should be included;~~

~~(iii) If necessary, detailed construction and operation specifications for the upcoming permit period; and~~



~~(iv) A description of steps taken to mitigate or correct practices that have resulted in past operational deficiencies.~~

~~(f) Closure permit requirements:~~<sup>[DB71]</sup>

~~(i) Closure applications shall be submitted as required in Section 2(a) of this chapter and shall contain the following information:~~

~~(A) A permit application form signed in the manner described in Sections 2(b)(i) and 2(b)(ii) or 2(c)(i) of this chapter;~~

~~(B) A copy of the pertinent materials from the approved permit application or approved renewal permit application, revised and updated as necessary, may be used to fulfill these requirements:~~

~~(1) Environmental monitoring system information specified in subsection 2(b)(iii)(K);~~

~~(2) Closure information specified in subsection 2(b)(iii)(L) of this section.~~

~~(C) Information to verify compliance with Chapter 7, Financial Assurance, including an estimate of 3rd party costs associated with the facility closure tasks and an appropriate financial assurance mechanism;~~

~~(D) Information verifying compliance with the standards for the transfer, treatment or disposal of any special waste as provided in Chapter 8, Special Waste Management Standards;~~

~~(E) If any of the closure permit application requirements of this subsection are not applicable to the facility, the application shall contain a written explanation as to why the requirement is not applicable.~~

~~(g) Permit terms:~~<sup>[DB72]</sup>

~~(i) New permits will be issued for an eight (8) year term;~~

~~(ii) Renewal permits will be issued for an eight (8) year term;~~

~~(iii) All closure permits will be issued for a one (1) year term unless the administrator approves an extended closure period for good cause.~~

~~(h) Financial assurance requirement:~~<sup>[DB73]</sup> Any operator of a transfer, treatment and storage facility or a low hazard and low volume transfer, treatment and storage facility subject to the financial assurance requirements of Chapter 7 shall provide and

~~maintain adequate assurance of financial responsibility as specified therein, prior to issuance of a permit by the director.~~

Section ~~3~~4. Location Standards.

~~(a) New transfer, treatment and storage facilities:~~ New transfer, treatment and storage facilities shall not be located in violation of the standards ~~described~~ in this ~~section~~<sup>[DB74]</sup>.

~~(i)~~ (ia) Local zoning: Facility locations shall not be in conflict with local zoning ordinances or land use plans that have been adopted by a county commission or municipality;

~~(ii) Facilities~~<sup>[DB75]</sup> ~~shall not be located in an area where the administrator, after investigation by the applicant, finds there is a reasonable probability the solid waste management facility will have a detrimental effect on surface water or groundwater quality;~~

~~(iii)~~ (ib) Floodplains: Facilities shall not be located within the boundaries of a 100-year floodplain;

~~(c)~~ (ic) Wetlands: Facilities shall not be located in wetlands ~~as defined in Chapter 1, Section 1(e)~~;

~~(iv) Facilities~~<sup>[DB76]</sup> ~~shall not be located in an area where there is a potential, as determined by the administrator, for the facility to present a dust or odor problem, or public nuisance, unless the facility operating plans specifically address appropriate control of the potential problems;~~

~~(d)~~ (id) Outdoor waste management: ~~The following standards apply only to outdoor facilities where the solid w~~Waste management activities that are not being conducted inside an enclosed building, a tank or a container shall not be located within 1,000 feet of the following unless screened from view:

~~(A)~~ (Ai) AFacilities ~~shall not be located within 1,000 feet of any~~ occupied dwelling house, school or hospital;

~~(B)~~ (Bii) AFacilities ~~shall not be located within 1,000 feet of any~~ interstate or primary highway right-of-way, ~~unless the facility is screened from view by natural objects, plantings, fences or other appropriate means, and is authorized by the state highway commission in accord with provisions of the Junkyard Control Act, W.S. 33-19-103 et seq;~~

~~(C)~~ (Ciii) AFacilities ~~shall not be located within 1,000 feet of any~~ public park or recreation area ~~unless the facility is screened from view by natural objects,~~

~~plantings, fences or other appropriate means;~~

~~\_\_\_\_\_ (D) Distance<sup>[DB77]</sup> to surface waters:~~

~~(I) Facilities shall not be located within 1,000 feet of any perennial lake or pond which is either naturally occurring, or which contains water used for any purpose not directly related to an industrial process;~~

~~(II) Facilities shall not be located within 300 feet of any industrial process water or storm water management pond;~~

~~(III) Facilities shall not be located within 300 feet of any perennial river or stream.~~

\_\_\_\_\_ (Ee) Wild and Scenic Rivers Act: Facility locations shall not diminish the scenic, recreational and fish and wildlife values for any section of river designated for protection under the Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq., and implementing regulations;

\_\_\_\_\_ (Ff) National Historic Preservation Act: Facilities shall not be located in areas where they may pose a threat to an irreplaceable historic or archeological site listed pursuant to the National Historic Preservation Act, 16 U.S.C. 470 et seq. and implementing regulations, or to a natural landmark designated by the National Park Service;

\_\_\_\_\_ (Gg) Critical habitat: Facilities shall not be located within a critical habitat of an endangered or threatened species listed pursuant to the Endangered Species Act, 16 U.S.C. 1531 et seq., and implementing regulations, where the facility may cause destruction or adverse modification of the critical habitat, may jeopardize the continued existence of endangered or threatened species or contribute to the taking of such species;

\_\_\_\_\_ (Hh) Critical winter range: Facilities shall not be located within critical winter ranges for big game or breeding grounds for grouse unless, after consultation with the Wyoming Game and Fish Department, the ~~a~~A administrator determines that facility development would not conflict with the conservation of Wyoming's wildlife resources;

~~\_\_\_\_\_ (I) Facilities<sup>[DB78]</sup> shall not be located in wetlands as defined in Chapter 1, Section 1(e).~~

~~(vi) The<sup>[DB79]</sup> following standards apply to incinerators used for management of wastes generated by persons other than the owner of the incinerator:~~

~~(A) Except upon a variance granted by the director in accord with W.S. 35-11-502(c), no facility greater than one (1) acre in size shall be located between 1,000 feet and one (1) mile of a public school except with the written consent~~

~~of the school district board of trustees, or between 1,000 feet and one (1) mile of an occupied dwelling house except with the written consent of the owner. Additionally, facilities of any size shall not be located within 300 feet of any building unless provisions have been made for protection from methane gas accumulation;~~

~~(B) Except upon a variance granted by the director in accord with W.S. 35-11-502(c), no facility greater than one (1) acre in size shall be located between 1,000 feet and one half (1/2) mile of the center line of the right-of-way of a state or federal highway unless screened from view as approved by the administrator. Additionally, facilities of any size shall not be located within 1,000 feet of any interstate or primary highway right-of-way, unless the facility is screened from view by natural objects, plantings, fences or other appropriate means, and is authorized by the state highway commission in accord with provisions of the Junkyard Control Act, W.S. 33-19-103 et seq.~~

~~(C) Facilities shall not be located within 1,000 feet of any public park or recreation area unless the facility is screened from view by natural objects, plantings, fences or other appropriate means;~~

~~(D) Facility locations shall not diminish the scenic, recreational and fish and wildlife values for any section of river designated for protection under the Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq., and implementing regulations;~~

~~(E) Facilities shall not be located in areas where they may pose a threat to an irreplaceable historic or archeological site listed pursuant to the National Historic Preservation Act, 16 U.S.C. 470 et seq. and implementing regulations, or to a natural landmark designated by the National Park Service;~~

~~(F) Facilities shall not be located within a critical habitat of an endangered or threatened species listed pursuant to the Endangered Species Act, 16 U.S.C. 1531 et seq., and implementing regulations, where the facility may cause destruction or adverse modification of the critical habitat, may jeopardize the continued existence of endangered or threatened species or contribute to the taking of such species;~~

~~(G) Facilities shall not be located within critical winter ranges for big game or breeding grounds for grouse, unless after consultation with the Wyoming Game and Fish Department, the administrator determines that facility development would not conflict with the conservation of Wyoming's wildlife resources;~~

~~(H) Except upon a variance granted by the director in accord with W.S. 35-11-502(c), no facility greater than one (1) acre in size shall be located within one (1) mile of the boundaries of an incorporated city or town;~~

~~(vii) **Special waste:** Any facility used for the management of a special waste regulated under Chapter 8, Special Waste Management Standards, shall also comply~~

with applicable location standards established under Chapter 8.

~~\_\_\_\_\_ (b) <sup>New [DB80]</sup> low hazard and low volume transfer, treatment and storage facilities: New low hazard and low volume transfer, treatment and storage facilities, excluding mobile transfer, treatment and storage facilities, shall not be located in violation of the standards described in this section:~~

~~(i) Facility locations shall not be in conflict with local zoning ordinances or land use plans that have been adopted by a county commission or municipality;~~

~~(ii) Facilities shall not be located in an area where the administrator, after investigation by the applicant, finds there is a reasonable probability the solid waste management facility will have a detrimental effect on surface water or groundwater quality;~~

~~(iii) Facilities shall not be located within the boundaries of a 100 year floodplain;~~

~~(iv) Facilities shall not be located in an area where there is a potential, as determined by the administrator, for the facility to present a dust or odor problem, or public nuisance, unless the facility operating plans specifically address appropriate control of the potential problems;~~

~~(v) The following standards apply only to outdoor facilities where the solid waste management activities are not being conducted inside an enclosed building, a tank or a container:~~

~~(A) Facilities shall not be located within 1,000 feet of any occupied dwelling house, school or hospital unless the facility is screened from view by natural objects, plantings, fences or other appropriate means;~~

~~(B) Facilities shall not be located within 1,000 feet of any interstate or primary highway right of way, unless the facility is screened from view by natural objects, plantings, fences or other appropriate means, and is authorized by the state highway commission in accord with provisions of the Junkyard Control Act, W.S. 33-19-103 et seq.;~~

~~(C) Facilities shall not be located within 1,000 feet of any public park or recreation area unless the facility is screened from view by natural objects, plantings, fences or other appropriate means;~~

~~(D) Distance to surface waters:~~

~~(1) Facilities shall not be located within 1,000 feet of any perennial lake or pond which is either naturally occurring, or which contains water used~~

~~for any purpose not directly related to an industrial process;~~

~~(II) Facilities shall not be located within 300 feet of any industrial process water or storm water management pond;~~

~~(III) Facilities shall not be located within 300 feet of any perennial river or stream.~~

~~(E) Facilities shall not be located in wetlands as defined in Chapter 1, Section 1(e).~~

~~(c) Mobile<sup>[DB81]</sup> transfer, treatment and storage facilities: Mobile transfer, and storage facilities shall not be located in violation of the standards described in this section.~~

~~(i) Facilities shall not be located in wetlands as defined in Chapter 1, Section 1(e);~~

~~(ii) Any facility used for the management of a special waste regulated under Chapter 8, Special Waste Management Standards, shall also comply with applicable location standards established under Chapter 8.~~

## Section 5. Geology and Hydrology.

### (a) Requirements for mobile and full size fixed facilities:

~~(Hi) An evaluation of the facility's potential to impact surface and ground water quality, based on the facility design and operating<sup>[DB82]</sup> practices, ~~the site hydrogeologic setting<sup>[DB83]</sup>~~~~

### (b) Additional requirements for full size fixed facilities

~~(G<sup>[DB84]</sup>i) Detailed information describing the site's geology and hydrogeology and an evaluation of the potential to impact surface and groundwater quality based on the site's geology and hydrogeology ~~may be required~~ shall be provided if ~~the~~ waste management occurs outside an enclosed building;~~

## Section ~~4~~6. Design and Construction Standards.

~~(a) Transfer, treatment and storage <sup>[DB85]</sup> facilities: All transfer, treatment and facilities shall be designed and constructed in compliance with the standards listed in this section.~~

~~(ia) Waste management units: A description of t~~(ia) Waste management units: The size, type and number and purpose of all solid waste management units and equipment shall be described. This information shall also include a description of the capacity of the solid waste

management units and equipment in terms of how much waste can be transferred and treated per hour, day, month or year and the maximum quantity of wastes, both treated and untreated, that can be stored in each solid waste management ~~unit~~<sup>[DB86]</sup>;

~~(b)~~ (b) Fences and gates: Other than mobile facilities. ~~E~~each facility shall be fenced and equipped with a gate which can be locked ~~to discourage the public, livestock or wildlife from entering if hazardous constituents or conditions are~~ Facilities do not need to be fenced and equipped with a gate which can be locked if the facility is located in a remote or industrial area which already has adequate access control features in place to meet the intent of this standard. Appropriate measures shall be used to restrict access to mobile treatment ~~facilities~~<sup>[DB88]</sup>;

~~(c)~~ (c) Access signs: Each point of access shall be identified by a sign which shall be easily readable, maintained in good condition, and contain, at a minimum, the following information:

~~(A)~~ (A) The facility name;

~~(B)~~ (B) The name and phone number of the responsible person to contact in the event of emergencies;

~~(C)~~ (C) The hours of operation if the facility is open to the public;

~~(D)~~ (D) Depending on the particular waste type, additional information describing the particular hazards of the waste may also be required.

~~(d)~~ (d) Traffic signs: Each facility shall have signs to direct traffic to the proper waste management area, if the facility is open to the public;

~~(e)~~ (e) Waste management unit signs: ~~As approved by the administrator, s~~ Solid waste management units and equipment used to manage treated or untreated waste shall be identified by a sign or label which shall be easily readable, maintained in good condition and identify the name of the solid waste management unit or equipment and the waste type contained in the solid waste management unit;

~~(f)~~ (f) Access roads: Facility access roads shall be constructed to enable use under inclement weather conditions;

~~(g)~~ (g) Fire lanes and buffer zones: For those facilities where any waste management occurs outdoors, the facility shall have a fire lane/buffer zone constructed around all active solid waste management units and equipment or within the site perimeter fence. The width of the fire lane/buffer zone shall be a minimum of ~~ten~~ ~~(10)~~ twenty ~~(20)~~<sup>[DB89]</sup> feet, but may be wider depending on the specific waste type and the ability of fire fighting equipment to properly operate within the facility;

~~(vii) For~~<sup>[DB90]</sup> ~~those~~<sup>[DB91]</sup> ~~facilities where any waste management occurs~~

~~outdoors, the facility shall have a buffer zone around the solid waste management units and equipment or within the site perimeter fence. The width of the buffer shall be a minimum of ten (10) feet, but may be wider depending on the specific waste type and the ability of monitoring equipment to be properly constructed and operated within the facility;~~

(~~viii~~) Surface water structures: For those facilities where any waste management occurs outdoors, the facility shall have surface water structures to control surface water run-on and run-off. Surface water structures shall be designed and constructed ~~to as follows~~<sup>[DB92]</sup>:

(~~A~~) At fixed facilities, prevent flow onto the active portion of the facility during the peak discharge from a 25-year storm~~Temporary structures anticipated to be used for periods less than five (5) years shall accommodate a 25-year, 24-hour precipitation event;~~

(~~B~~) At fixed facilities, collect and control runoff from the active portion of the facility from at least the water volume from a 24-hour, 25 year storm~~Permanent structures and temporary structures anticipated to be used for five (5) years or longer shall accommodate a 100-year, 24-hour precipitation event;~~

(iii) At mobile facilities, control run-on and runoff from the active portion of the facility;

(~~C~~) At all facilities, sSediment control structures shall be designed and constructed in accordance with Chapter 11 of the Water Quality Rules and Regulations.

(~~ix~~) Waste containment: ~~All solid waste management u~~Units shall be designed and constructed to contain the wastes within the unit and prevent the migration of contaminants. Solid waste management units which manage liquid waste shall also meet the following standards:

(~~A~~) Above ground tanks and containers shall be equipped with low-permeability secondary containment systems which provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation~~are capable of containing 110% of the volume of the largest tank or container within the unit~~<sup>[DB93]</sup>;

(~~B~~) Below ground tanks or containers shall be designed and constructed with leak detection systems;

(~~C~~) Ponds shall be designed and constructed in accordance with Chapter 11 of the Water Quality Rules and Regulations.

(~~D~~) Open-topped tanks, containers and ponds which contain wastes



which are either petroleum-based or have a pH less than 3 or greater than 10 shall be designed and constructed with netting which is adequate to prevent access by migratory birds.

~~(x) Any facility used for the management of a special waste regulated under Chapter 8, Special Waste Management Standards, shall also comply with applicable design and construction standards established under Chapter 8<sup>[DB94]</sup>.~~

~~(b) Low hazard and low volume transfer, treatment and storage facilities<sup>[DB95]</sup>: low hazard and low volume transfer, treatment and storage facilities, excluding mobile transfer, treatment and storage facilities, shall be designed and constructed in compliance with the standards listed in this section.~~

~~(i) Each<sup>[DB96]</sup> point of access shall be identified by a sign which shall be easily readable, maintained in good condition, and contain, at a minimum, the following information:~~

~~(A) The facility name;~~

~~(B) The name and phone number of the responsible person to contact in the event of emergencies;~~

~~(C) The hours of operation if the facility is open to the public;~~

~~(D) Depending on the particular waste type, additional information describing the particular hazards of the waste may also be required.~~

~~(ii) As approved by the administrator, all solid waste management units and equipment used to manage treated or untreated waste shall be identified by a sign or label which shall be easily readable, maintained in good condition and identify the name of the solid waste management unit or equipment and the waste type contained in the solid waste management unit;~~

~~(iii) For those facilities where any waste management occurs outdoors, the facility shall have a fire lane constructed around all active solid waste management units and equipment or within the site perimeter fence. The width of the fire lane shall be a minimum of ten (10) feet, but may be wider depending on the specific waste type and the ability of firefighting equipment to properly operate within the facility;~~

~~(iv) All solid waste management units shall be designed and constructed to contain the wastes within the unit and prevent the migration of contaminants. Solid waste management units which manage liquid waste shall also meet the following standards:~~

~~(A) Above ground tanks and containers shall be equipped with low permeability secondary containment systems which are capable of containing~~

~~110% of the volume of the largest tank or container within the unit.~~

~~(B) Below ground tanks or containers shall be designed and constructed with leak detection systems;~~

~~(C) Ponds shall be designed and constructed in accordance with Chapter 11 of the Water Quality Rules and Regulations.~~

~~(c) Mobile<sup>[DB97]</sup> transfer, treatment and storage facilities: All mobile transfer, treatment and storage facilities, shall be designed and constructed in compliance with the standards listed in this section.~~

~~(i) Each facility shall be fenced and equipped with a gate which can be locked to discourage the public, livestock or wildlife from entering if hazardous constituents or conditions are present. Facilities do not need to be fenced and equipped with a gate which can be locked if the facility is located in a remote or industrial area which already has adequate access control features in place to meet the intent of this standard;~~

~~(ii) Each point of access shall be identified by a sign which shall be easily readable, maintained in good condition, and contain, at a minimum, the following information:~~

~~(A) The facility name;~~

~~(B) The name and phone number of the responsible person to contact in the event of emergencies;~~

~~(C) The hours of operation if the facility is open to the public;~~

~~(D) Depending on the particular waste type, additional information describing the particular hazards of the waste may also be required.~~

~~(iii) For those facilities where any waste management occurs outdoors, the facility shall have a fire lane constructed around the solid waste management units and equipment or within the site perimeter fence. The width of the fire lane shall be a minimum of ten (10) feet, but may be wider depending on the specific waste type and the ability of firefighting equipment to properly operate within the facility;~~

~~(iv) For those facilities where any waste management occurs outdoors, the facility shall have surface water structures to control surface water run-on and run-off;~~

~~(v) All solid waste management units shall be designed and constructed to contain the wastes within the unit and prevent the migration of contaminants. Solid waste management units which manage liquid waste shall be equipped with secondary~~

containment systems which are capable of containing 100% of the volume of the largest tank or container within the unit and have a minimum of one (1) foot of freeboard;

~~(vi) Any [DB98] facility used for the management of a special waste regulated under Chapter 8, Special Waste Management Standards, shall also comply with applicable design and construction standards established under Chapter 8.~~

#### Section ~~57~~. Operating Standards.

~~(a) Transfer, treatment and storage facilities: All transfer, treatment and storage facilities shall be operated in accordance with the standards described in this section [DB99].~~

~~(i) [DB100] Each facility shall be managed by a qualified solid waste manager. In the event that a qualified solid waste manager terminates employment for any reason, a new solid waste manager shall be designated within three (3) months of such termination. For any facility which is constructed, operated and monitored in compliance, the solid waste manager's qualifications shall be presumed to be adequate. For any facility which is not being constructed, operated, or monitored in compliance, the solid waste manager may be required to complete additional training and/or demonstrate his or her qualifications by written or oral examination. A qualified solid waste manager shall:~~

~~(A) Possess a complete working knowledge of the facility construction, operating and monitoring procedures, as specified in the permit application and the permit letter issued by the director;~~

~~(B) Attend the classroom or field training program described in the approved permit application;~~

~~(C) Attend any training course sponsored by the administrator, which the administrator requires to provide training on changes to state or federal solid waste rules or guidelines. For any such mandatory training course, the administrator shall provide each operator with a minimum of ninety (90) days notice prior to the scheduled training course;~~

~~(D) Comply with the requirements of this subsection:~~

~~(I) No later than six (6) months following assumption of responsibility for operating a facility, for a new solid waste manager; or~~

~~(II) No later than six (6) months following the date the facility is permitted under this chapter, for an existing solid waste manager;~~

~~(ii) Access controls: Access shall be controlled to prevent the public, livestock or wildlife from being exposed to hazardous constituents or conditions.~~

Access does not need to be controlled if the facility is located in a remote or industrial area which already has adequate access control features in place to meet the intent of this standard;

(~~iii~~b) Waste types and quantities: Each facility shall accept and manage only those wastes and quantities which are specified in the facility permit, unless the ~~a~~Administrator provides specific written authorization to accept and manage other wastes and quantities;

(c) Waste screening: Waste screening measures shall be ~~A[DB101] description of waste screening measures~~ used to prevent the management of unauthorized wastes. The waste screening measures may include specific waste testing procedures to verify that only authorized wastes are accepted at the facility;

(~~iv~~d) Hazardous waste: Hazardous waste shall not be managed unless the ~~a~~Administrator provides specific written authorization;

(~~v~~e) Waste confined: All wastes shall be confined to solid waste management units and equipment as specified in the permit;

(~~vi~~f) Surface water and groundwater contact: Waste shall not contact surface water or groundwater. ~~Surface water run-on shall not be allowed to enter waste management areas;~~

~~—(vi) Wastes[DB102] shall not be placed in contact with groundwater;~~

(~~viii~~g) Fire protection: All facilities shall be equipped with at least one working portable fire extinguisher and a communication system for contacting local emergency management agencies. Depending on the particular waste type or management method, additional fire protection and emergency management equipment may be required;

(~~ix~~h) Litter collection: Each facility shall have an effective litter collection program to contain litter within the facility and to prevent the facility from becoming unsightly, if the facility manages wastes which are susceptible to blowing;

(~~x~~i) Disease vectors: Onsite populations of disease vectors shall be prevented or controlled using techniques appropriate for the protection of human health and the environment;

(~~xii~~j) Dust and odors: Adequate measures shall be taken to minimize dust and odors;

(~~xiii~~k) Scavenging: Scavenging shall be prohibited at all facilities;

(~~xiii~~l) Mechanical breakdown: In the event of extended mechanical

breakdown, all untreated wastes shall be removed from the facility to an approved alternate facility before the wastes create a public nuisance, health hazard, fire hazard, odors or vector habitat;

~~(xiv)~~ Waste and wastewater: All wastes and wastewaters generated from any waste management processes shall be characterized and managed by the operator in accordance with applicable ~~d~~Department standards unless the facility is mobile and the facility operator will not be responsible for managing waste;

~~(xv) All [DB103] wastewaters generated from cleaning solid waste management units and equipment shall be characterized and managed in accordance with applicable department standards;~~

(n) Confirmation sampling: ~~A description of the e~~Confirmation sampling and analysis shall be conducted by the operator~~program used~~ to verify that ~~the~~ wastes have been properly ~~treated~~[DB104] unless the facility is mobile and the facility operator will not be responsible for managing the waste;

~~(xvi)~~ Water Quality and Air Quality standards: Facilities shall be operated so that they are not in violation of ~~the~~ Water Quality and Air Quality Sstandards;

~~(xvii) Facilities [DB105] shall be operated so that they are not in violation of the Air Quality Standards;~~

~~(xviii) The following records [DB106] shall be maintained at the facility or an approved alternative location and available for inspection and copying as specified by Chapter 1, Section 1(g):~~

~~(A) A copy of the approved permit application;~~

~~(B) A copy of the department permit letter;~~

~~(C) Records of training and examinations completed by the solid waste manager;~~

~~(D) Records of litter collection activities, including dates and areas of litter collection;~~

~~(E) Records of the source, volume and characteristics of wastes received by the facility;~~

~~(F) Records of the destination, volume and characteristics of wastes removed from the facility;~~

~~(G) Records of monitoring activities and copies of monitoring data;~~

~~(H) Records of any problems causing operations to cease, including but not limited to fire or equipment failure;~~

~~(xix) Any<sup>[DB107]</sup> facility used for the management of a special waste under Chapter 8, Special Waste Management Standards, shall also comply with the applicable operating standards established under Chapter 8;~~

~~(b) Low<sup>[DB108]</sup> hazard and low volume transfer, treatment and storage facilities: All low hazard and low volume transfer, treatment and storage facilities, excluding mobile transfer, treatment and storage facilities, shall be operated in accordance with the standards described in this section.~~

~~(i) Each facility shall accept and manage only those wastes and quantities which are specified in the facility permit, unless the administrator provides specific written authorization to accept and manage other wastes and quantities;~~

~~(ii) Hazardous waste shall not be managed unless the administrator provides specific written authorization;~~

~~(iii) All wastes shall be confined to solid waste management units and equipment as specified in the permit;~~

~~(iv) All facilities shall be equipped with at least one working portable fire extinguisher and a communication system for contacting local emergency management agencies. Depending on the particular waste type or management method, additional fire protection and emergency management equipment may be required;~~

~~(v) Each facility shall have an effective litter collection program to contain litter within the facility and to prevent the facility from becoming unsightly, if the facility manages wastes which are susceptible to blowing;~~

~~(vi) Adequate measures shall be taken to minimize dust and odors;~~

~~(vii) The following records shall be maintained at the facility or an approved alternative location and available for inspection and copying as specified by Chapter 1, Section 1(g):~~

~~(A) A copy of the approved permit application;~~

~~(B) A copy of the department permit letter;~~

~~(c)<sup>[DB109]</sup> Mobile transfer, treatment and storage facilities: All mobile transfer, treatment and storage facilities shall be operated in accordance with the standards described in this section.~~

~~(i) Each facility shall be managed by a qualified solid waste manager. In the event that a qualified solid waste manager terminates employment for any reason, a new solid waste manager shall be designated within three (3) months of such termination. For any facility which is constructed, operated and monitored in compliance, the solid waste manager's qualifications shall be presumed to be adequate. For any facility which is not being constructed, operated, or monitored in compliance, the solid waste manager may be required to complete additional training and/or demonstrate his or her qualifications by written or oral examination. A qualified solid waste manager shall:~~

~~(A) Possess a complete working knowledge of the facility construction, operating and monitoring procedures, as specified in the permit application and the permit letter issued by the director;~~

~~(B) Attend the classroom or field training program described in the approved permit application;~~

~~(C) Attend any training course sponsored by the administrator, which the administrator requires to provide training on changes to state or federal solid waste rules or guidelines. For any such mandatory training course, the administrator shall provide each operator with a minimum of ninety (90) days' notice prior to the scheduled training course;~~

~~(D) Comply with the requirements of this subsection:~~

~~(I) No later than six months following assumption of responsibility for operating a facility, for a new solid waste manager; or~~

~~(II) No later than six months following the date the facility is permitted under this chapter, for an existing solid waste manager;~~

~~(ii) Access shall be controlled to prevent the public, livestock or wildlife from being exposed to hazardous constituents or conditions. Access does not need to be controlled if the facility is located in a remote or industrial area which already has adequate access control features in place to meet the intent of this standard;~~

~~(iii) Each facility shall accept and manage only those wastes and quantities which are specified in the facility permit, unless the administrator provides specific written authorization to accept and manage other wastes and quantities;~~

~~(iv) Hazardous waste shall not be managed unless the administrator provides specific written authorization;~~

~~(v) All wastes shall be confined to solid waste management units and equipment as specified in the permit;~~

~~(vi) Surface water run-on shall not be allowed to enter waste management areas;~~

~~(vii) Wastes shall not be placed in contact with groundwater;~~

~~(viii) All facilities shall be equipped with at least one working portable fire extinguisher and a communication system for contacting local emergency management agencies. Depending on the particular waste type or management method, additional fire protection and emergency management equipment may be required;~~

~~(ix) Each facility shall have an effective litter collection program to contain litter within the facility and to prevent the facility from becoming unsightly, if the facility manages wastes which are susceptible to blowing;~~

~~(x) Onsite populations of disease vectors shall be prevented or controlled using techniques appropriate for the protection of human health and the environment;~~

~~(xi) Adequate measures shall be taken to minimize dust and odors;~~

~~(xii) Scavenging shall be prohibited at all facilities;~~

~~(xiii) In the event of extended mechanical breakdown, all untreated wastes shall be removed from the facility to an approved alternate facility before the wastes create a public nuisance, health hazard, fire hazard, odors or vector habitat;~~

~~(xiv) All wastes generated from any waste management processes shall be characterized and managed in accordance with applicable department standards;~~

~~(xv) All wastewaters generated from cleaning solid waste management units and equipment shall be characterized and managed in accordance with applicable department standards;~~

~~(xvi) Facilities shall be operated so that they are not in violation of the Water Quality Standards;~~

~~(xvii) Facilities shall be operated so that they are not in violation of the Air Quality Standards;~~

~~(xviii) The [DB110] following records shall be provided to the administrator prior to mobilization, on a form provided by the administrator. Copies of these records shall be maintained at the facility or an approved alternative location and available for inspection and copying as specified by Chapter 1, Section 1(g):~~

~~(A) The name, address and telephone number of the generator at each location at which the facility will operate;~~



~~(B) The location or street address of each location at which the facility will operate;~~

~~(C) Records demonstrating that each location at which the facility will operate meets the location standards specified in Section 3 of this chapter;~~

~~(D) Estimated dates of mobilization to and demobilization from each location at which the facility will operate;~~

~~(E) Records of the source, volume and characteristics of wastes which will be managed by the facility.~~

~~(xix) The following records shall be maintained at the facility or an approved alternative location and available for inspection and copying as specified by Chapter 1, Section 1(g):~~

~~(A) A copy of the approved permit application;~~

~~(B) A copy of the department permit letter;~~

~~(C) Records of training and examinations completed by the solid waste manager;~~

~~(D) Records of litter collection activities, including dates and areas of litter collection, if the facility manages wastes which are susceptible to blowing;~~

~~(E) Records of the volume, characteristics and destination (if known) of wastes removed from the facility;~~

~~(F) Records of any problems causing operations to cease, including but not limited to fire or equipment failure.~~

~~(xx) Any [DB111] facility used for the management of a special waste regulated under Chapter 8, Special Waste Management Standards, shall also comply with the applicable operating standards established under Chapter 8;~~

~~(xxi) Facilities [DB112] shall not be operated in a single location for more than one (1) year, unless the administrator provides specific written authorization;~~

~~(xxii) At [DB113] the completion of each mobile transfer, treatment and storage facility operation at a specific location, all waste management units and equipment shall be properly cleaned, decontaminated, dismantled and removed from the site.~~

Section 68. Monitoring Standards. All facilities required to institute monitoring shall meet the standards described in this section. ~~(K) The application shall include~~ A<sup>[DB114]</sup> detailed description of the environmental monitoring program including a description of the monitoring well location, design, construction and development. A description of the groundwater sampling program shall be provided including sampling frequency, test parameters, sampling procedures, test methods and quality control

(a) Collection and management of samples: Groundwater, soil, and decomposition gas samples shall be collected and managed in accordance with ~~d~~Department guidance or equivalent methods approved by the ~~a~~A administrator.

(b) Groundwater:

(i) Well placement: All facilities required to install monitoring wells shall place them in accordance with the ~~d~~Department's requirements. Following initial placement of the wells, the operator shall confirm that the wells are capable of measuring groundwater quality that is representative of conditions hydraulically upgradient and downgradient of the solid waste disposal facility;

(ii) Well design, construction/installation and abandonment: All wells shall be designed, constructed and installed in accordance with the Water Quality Division Chapter 11 requirements. All abandoned monitoring wells shall be plugged and sealed in accordance with the Water Quality Division Chapter 11 requirements;

~~(iii) Permits<sup>[DB115]</sup> required: Prior to well installation, the monitoring design, construction and location specifications shall be approved by the administrator. A construction permit under Chapter 3 of the Water Quality Division rules and regulations is not required. All monitoring wells shall be permitted by the Wyoming State Engineer's Office;~~

(~~iv~~ii) Analyses:

(A) ~~Baseline monitoring~~Detection monitoring<sup>[DB116]</sup>: ~~The initial s~~Samples ~~acquired in a monitoring program~~ shall be analyzed for pH, Total Dissolved Solids (TDS), Chemical Oxygen Demand (COD), Total Organic Carbon (TOC), Ammonia as N, Nitrate as N, Bicarbonate, Carbonate, Chloride, Fluoride, Calcium, Magnesium, Potassium, Sodium, Sulfate, ~~Copper~~, Iron, and Manganese, ~~Nickel, Zinc, Arsenic, Barium, Cadmium, Chromium, Cyanide, Lead, Mercury, Selenium, and Silver.~~ Water temperature, specific conductance, pH, and static water level measurements shall ~~also~~ be taken in the field during each monitoring event. ~~The length of this initial monitoring period shall not exceed one (1) year; samples acquired during this period shall be taken at least quarterly~~At least four (4) quarterly samples shall be taken initially. The Administrator may reduce detection monitoring frequency to no less than annual after collection of sufficient samples to establish background.

(~~DB~~<sup>[DB117]</sup>) The ~~a~~<sup>A</sup>Administrator may specify alternative or ~~water quality~~ parameters for analyses, including organic chemical constituents, based on ~~its review of~~ the wastes ~~likely to be disposed at any specific solid waste disposal~~<sup>managed at the</sup> facility.

~~(B) Detection monitoring: Following the initial baseline monitoring period, the administrator may specify a reduced set of sampling parameters to be analyzed at least semi-annually. The reduced set of parameters shall include, at a minimum: Total Dissolved Solids (TDS), Chlorides, Ammonia (as N), Iron, Hardness, and Total Organic Carbon (TOC). Water temperature, specific conductance, pH, and static water level measurements shall also be taken in the field during each monitoring event;~~

(C) Assessment monitoring: The Administrator may require assessment monitoring if a statistically significant increase over background is detected in any downgradient well for any constituent with an MCL or class of use based limit. The Administrator may require ~~Should groundwater monitoring data indicate that the facility is impacting groundwater quality,~~ additional wells, a revised set of sampling parameters and revised sampling schedule for assessment monitoring. The Administrator will establish groundwater protection standards for constituents detected above background in downgradient wells.~~may be required by the administrator to define the nature and extent of~~ <sup>[contamination]</sup>~~[DB118];~~

(v) Corrective actions: If one or more constituents are detected at statistically significant levels above the groundwater protection standard the operator may be required to assess the nature and extent of the release and conduct and assessment of corrective measures. Whenever there is a release of contamination which adversely impacts groundwater quality, ~~†~~The operator may be required to~~shall~~ institute corrective actions approved by the ~~a~~<sup>A</sup>Administrator;

(vi) Operators shall ~~If designated by the administrator, operators of facilities which have three (3) or more groundwater wells designated for monitoring potential impacts from the facility may be required to submit groundwater monitoring data electronically in a non-magnetic media or electronically transmitted files in the computer spreadsheet format which is specified by the a~~<sup>A</sup>Administrator. Operators may also be required to~~Alternatively, these operators may submit paper~~<sup>hard</sup> copies of these data in a~~tabular~~ format ~~which is approved by the a~~<sup>A</sup>Administrator ~~in order to facilitate electronic scanning by the department.~~

(c) Air: Air monitoring, if required, shall be conducted in accord with Air Quality Division regulations.

(d) Soil core: Soil core monitoring, if required, shall be conducted in accord with a plan approved by the ~~a~~<sup>A</sup>Administrator.

(e) Vadose zone: Vadose zone monitoring, if required, shall be conducted in accord with a plan approved by the ~~a~~<sup>A</sup>Administrator.

(f) Interpretation and statistical analysis of monitoring data: On an annual basis, unless more frequent reporting is required by the Administrator, the operator shall supply the ~~a~~AAdministrator with copies of all required environmental monitoring data and an interpretation of the data. The ~~a~~AAdministrator may require the operator to present monitoring data in a graphical format (charts and/or maps), in addition to tabular format. If required by the Administrator, ~~a~~Any statistical analysis of monitoring data shall be done in accord with methods approved by the ~~a~~AAdministrator.

Section 9. Recordkeeping Standards. ~~(xviii)~~ The ~~[DB119]~~ following records shall maintained at the facility or an approved alternative location and available for inspection and copying as specified by Chapter 1, ~~Section 1(g)~~:

(a) Records for all facilities:

~~(A)~~i A copy of the approved permit application;

~~(B)~~i A copy of the ~~e~~DDepartment permit letter;

~~(C) Records [DB120] of training and examinations completed by the solid waste manager;~~

(b) Records for mobile and full size fixed facilities:

~~(D)~~i Records of litter collection activities, including dates and areas of litter collection, if applicable;

~~(E)~~ii Records of the source (if not a mobile facility), volume and characteristics of wastes received by the facility;

~~(F)~~iii Records of the destination (if known), volume and characteristics of wastes removed from the facility;

~~(G)~~iv Records of monitoring activities and copies of monitoring data, if applicable;

~~(H)~~v Records of any problems causing operations to cease and emergencies, including but not limited to fire or equipment failure;

Section 10. Reporting Standards.

(a) Reporting standards for mobile facilities: The ~~following~~ ~~[DB121]~~ records shall provided to the ~~a~~AAdministrator prior to mobilization, on a form provided by the ~~a~~AAdministrator. Copies of these records shall be maintained at the facility or an approved alternative location and available for inspection and copying as specified by Chapter 1:

\_\_\_\_\_ ~~(A)~~<sub>i</sub>) The name, address and telephone number of the generator at each location at which the facility will operate;

\_\_\_\_\_ ~~(B)~~<sub>ii</sub>) The location or street address of each location at which the facility will operate;

\_\_\_\_\_ ~~(C)~~<sub>iii</sub>) Records demonstrating that each location at which the facility will operate meets the location standards specified in Section 3 of this chapter;

\_\_\_\_\_ ~~(D)~~<sub>iv</sub>) Estimated dates of mobilization to and demobilization from each location at which the facility will operate;

\_\_\_\_\_ ~~(E)~~<sub>v</sub>) Records of the source, volume and characteristics of wastes which will be managed by the facility.

(b) Annual reporting standards for all facilities: The following information shall be provided to the Administrator no later than March 1, on a form provided by the Administrator. Unless and alternative is approved by the Administrator, operators shall submit two (2) complete paper copies and one (1) electronic copy of the reports.

\_\_\_\_\_ (i) The facility name and the name, address, and phone number of the operator;

\_\_\_\_\_ (ii) A summary description of facility operations conducted during the past calendar year including:

\_\_\_\_\_ (A) Volume of each waste type managed during the year;

\_\_\_\_\_ (B) Volume of each waste type remaining at the site at the end of the year.

\_\_\_\_\_ (iii) Evaluation of closure costs and the adequacy of financial assurance;

\_\_\_\_\_ (iv) If monitoring is required, operators shall provide the Administrator with copies of all environmental monitoring data not previously submitted after a sampling event. Operators may be required to submit supporting charts and/or maps which represent the data.

(c) Fires and other emergencies: The operator shall report fires and other emergencies to the Administrator as soon as reasonably possible.

Section ~~7~~<sub>11</sub>. Closure Standards. ~~[DB122](F)~~ The application shall include ~~A~~<sub>a</sub> description of the tasks to be completed in order to properly close the facility, including but not limited to the removal and proper management of the maximum amount of wastes, both treated and untreated, which may be stored at the facility, cleaning of all

solid waste management units and equipment, and reclamation of the site. ~~(a) Transfer, treatment and storage facilities: All transfer, treatment and storage facilities shall be closed in accordance with the standards described in this section, as well as the requirements of Chapter 1, Section 2(g).~~ Facilities shall meet the following

(i) Commencement and completion of closure:

(i) Fixed facilities: At fixed facilities, closure activities as specified in the approved facility permit application, shall commence at a time no later than nine (9) months following the time the facility ceases to receive solid wastes. Closure shall be promptly completed within twelve (12) months following commencement of such closure activities unless the administrator approves an extended closure period for good cause;

(ii) Mobile facilities: At the completion of each mobile treatment and storage facility operation at a specific location, all waste management units and equipment shall be properly cleaned, decontaminated, dismantled and removed from the site.

~~(ii) If the facility is open to the public, the operator shall arrange for closure to be published in an area newspaper as well as posted at all facility access points;~~

(iii) Removal of waste: All remaining treated and untreated wastes shall be removed from the facility and transported to a permitted facility for treatment, storage, or disposal. No wastes shall be allowed to remain at the facility for a period longer than thirty (30) days after closure has commenced;

(iv) Equipment decontamination: All solid waste management units and equipment shall be properly cleaned, decontaminated, dismantled and removed from the facility;

(v) Access restrictions: Perimeter fences, gates and any other access restrictions shall be maintained until the facility has been satisfactorily closed, as determined by the administrator. ~~(v) The application shall state the length of time that the closed facility will maintain access restrictions to prevent entry by the public and large animals;~~

(vi) Surface water structures: Surface water structures shall be maintained until the facility has been satisfactorily closed, as determined by the administrator;

(vii) Monitoring systems: Environmental monitoring systems, if required, shall be maintained until the facility has been satisfactorily closed, as determined by the administrator, at which time they shall be properly abandoned. ~~A detailed description of the environmental monitoring program during closure and~~ Applications shall include a description of the method and schedule by which the environmental

monitoring systems will be abandoned;

(~~viii~~) Post-closure use: Each facility shall be returned to the use specified in the permit, unless an alternative use is approved by the ~~a~~Administrator;

~~[DB128](VIh)~~ Other information: The application shall include ~~A~~any other requested by the administrator to verify that an adequate closure has been accomplished.

~~(b) [Low][DB129] hazard and low volume transfer, treatment and storage facilities: low hazard and low volume transfer, treatment and storage facilities, excluding mobile transfer, treatment and storage facilities, shall be closed in accordance with the standards described in this section, as well as the requirements of Chapter 1, Section 2(g);~~

~~(i) Closure activities as specified in the approved facility permit application, shall commence at a time no later than nine (9) months following the time the facility ceases to receive solid wastes. Closure shall be promptly completed within twelve (12) months following commencement of such closure activities unless the administrator approves an extended closure period for good cause;~~

~~(ii) All remaining treated and untreated wastes shall be removed from the facility transported to a permitted facility for treatment, storage, or disposal. No wastes shall be allowed to remain at the facility for a period longer than thirty (30) days after closure has commenced;~~

~~(iii) All solid waste management units and equipment shall be properly cleaned, decontaminated, dismantled and removed from the facility.~~

~~(c) Reserved.~~

Section 12. Financial Assurance Standards. Except for mobile and municipally operated facilities, all facilities shall comply with the financial assurance requirements of Chapter 7.

~~(a) Third party [costs][DB130]: (viii) The application shall include information to compliance with Chapter 7, Financial Assurance, including an estimate of the 3<sup>rd</sup>-third party costs associated with the facility closure tasks and an appropriate financial assurance mechanism.~~

Section 13. Corrective Action [Standards][DB131].

(a) Schedule: On a schedule approved by the Administrator, the operator must:

(i) Implement a remedy approved by the Administrator;

(ii) Continue monitoring to demonstrate the effectiveness of the remedy; and

(iii) Take interim measures determined necessary by the Administrator to ensure protection of public health and the environment.

(b) Alternate remedies: If the selected remedy is not meeting the corrective action standards, the owner or operator shall implement other methods or techniques which have been approved by the Administrator that could practicably achieve compliance with the requirements, unless there is no practicable alternative and the owner or operator:

(i) Demonstrates to the satisfaction of the Administrator that the remedy cannot be achieved;

(ii) Implements alternative measures which have been approved by the Administrator to control exposure of humans or the environment to residual contamination, as necessary to protect human health and the environment; and

(iii) Implements alternate measures for control of the sources of contamination or for removal or decontamination of equipment, units, devices, or structures, which are consistent with the overall objective of the remedy and which are technically practicable.

(c) Remedy completion:

(i) Remedies shall be considered complete when:

(A) The owner or operator complies with groundwater protection standards at all points within the plume of contamination that lie beyond the relevant point of compliance established by the Administrator. Compliance with the groundwater protection standards shall be considered complete when concentrations of constituents have not exceeded the groundwater protection standard(s) for a period of three (3) consecutive years using approved statistical procedures.

(B) All actions required to complete the remedy have been satisfied.

(ii) When the operator believes the remedy is complete, the operator must:

(A) Notify the Administrator in writing, with supporting documentation, and place a copy of the notice in the facility operating record certifying that the remedy has been completed; and



(B) Petition the Administrator to be released from the financial assurance requirements for corrective action under Chapter 7 of these rules and regulations.

(C) When, upon completion of the certification, the Administrator determines that the corrective action remedy has been completed, the owner or operator shall be released from the requirements of financial assurance for corrective action.

Section 14. Special waste standards<sup>[DB132]</sup>. ~~(ix)~~ The application shall include information describing compliance with standards for the transfer, treatment, and storage of any special waste as provided in Chapter 8, ~~Special Waste Management Standards.~~

Section 15. Commercial Solid Waste Facility Standards. The permit application shall demonstrate compliance with the requirements of Chapter 10 and W.S. 35-11-514<sup>[DB133]</sup>.

Section 16. Additional Information. The Administrator may require additional information needed to demonstrate compliance with these rules and regulations.

Section 17. Supporting Documentation/Appendices. At a minimum, appendices shall include the information in this section<sup>[DB134]</sup>.

~~(iva)~~ Map or aerial photograph: For fixed facilities, ~~A~~an original USGS topographic map or aerial photograph of the area shall be submitted showing land ownership, land use and zoning within one-half mile of the facility, unless there is an incinerator at the waste management site, in which case the map or aerial photograph shall show land ownership, land use and zoning within one mile of the facility. The map or photograph shall be of sufficient scale to show all city boundaries, occupied dwellings, schools, hospitals, industrial buildings, water wells, water courses, roads and other applicable details and shall indicate the general topography ;

~~(vb)~~ General facility plot plan: For fixed facilities, ~~a~~A general facility plot plan at a scale ~~not greater than 200 feet to the inch with five foot contour intervals~~approved by the Administrator; shall be submitted. If all waste management activities occur within a single building, a scaled floor plan can be used in lieu of a general facility plot plan. The general facility plot plan shall illustrate the following features:

\_\_\_\_\_ ~~(Ai)~~ (Ai) Facility boundaries, including any buffer zones and fire lanes proposed between the solid waste permit boundary and the property boundary;

\_\_\_\_\_ ~~(Bii)~~ (Bii) Points of access;

\_\_\_\_\_ ~~(Ciii)~~ (Ciii) Working area/perimeter fence location;

- \_\_\_\_\_ ~~(D~~iv) Location of all solid waste management units and equipment;
- \_\_\_\_\_ ~~(E~~v) Locations of any buildings to house equipment or for other uses;
- \_\_\_\_\_ ~~(F~~vi) The location of any surface water structures;
- \_\_\_\_\_ ~~(G~~vii) The location of environmental monitoring devices;
- \_\_\_\_\_ ~~(H~~viii) Any other facility features requested by the administrator.

~~(vi~~c) Cross sections and drawing details: Cross sections and drawing details may be requested with sufficient specifications to describe:

- \_\_\_\_\_ ~~(A~~i) The movement of wastes through the waste management facility, including the points at which process wastes are generated;
- \_\_\_\_\_ ~~(B~~ii) Site access roads;
- \_\_\_\_\_ ~~(C~~iii) Solid waste management units and equipment;
- \_\_\_\_\_ ~~(D~~iv) Secondary containment structures and leak detection systems;
- \_\_\_\_\_ ~~(E~~v) Surface water structures;
- \_\_\_\_\_ ~~(F~~vi) Environmental monitoring systems;
- \_\_\_\_\_ ~~(G~~vii) Any other design and construction details requested by the administrator.

~~(vii~~d) Logs, forms, and reports: Blank copies of any logs, forms, ~~or~~and reports used by the facility to comply with ~~the~~ recordkeeping requirements ~~of Section 5 of this chapter~~, including a description of where these records will be located.