

# STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

**DEPT. OF ENVIRONMENTAL CONSERVATION**  
**DIVISION OF ENVIRONMENTAL HEALTH**  
**SOLID WASTE PROGRAM**

610 University Avenue  
Fairbanks, Alaska 99709  
PHONE: (907) 451-2108  
FAX: (907) 451-2188  
<http://www.dec.state.ak.us/>

September 1, 2005

Sandi Marchbanks, Mayor  
City of Gustavus  
P.O. Box 1  
Gustavus, Alaska 99826

Certified Mail  
Return Receipt Requested  
**#7000 1530 0004 8228 2866**

Subject: Solid Waste Permit # SWSHA0011994:20103MA

Dear Mayor Marchbanks:

The Department of Environmental conservation has completed its evaluation of your permit renewal request dated July 13, 2005 for the Class III municipal solid waste disposal facility at Gustavus, Alaska. Please review the conditions and stipulations in the permit and ensure they are understood. The Department is issuing this permit as a renewal of permit #0011-BA005 in accordance with Alaska Statute 46.03; Title 18, Chapter 15 of the Alaska Administrative Code (18 AAC 15); and the Solid Waste Management Regulations (18 AAC 60). This permit is effective upon issuance and expires on September 1, 2010. Please review all the conditions and stipulations in this permit.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195-340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Director of the Environmental Health Division, 555 Cordova Street, Anchorage, Alaska 99501 within 15 days of the permit decision. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect unless a stay has been granted.

If you have any questions, or require any additional information, please do not hesitate to contact me at (907) 451-2135.

Sincerely,

Douglas Buteyn  
Southeast Solid Waste Program Coordinator

Attachment: Permit # SWSHA0011994:20103MA

cc: Paul Berry, Gustavus Landfill Manager  
Kim Stricklan, ADEC, Anchorage

**STATE OF ALASKA  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL HEALTH  
410 WILLOUGHBY AVENUE, SUITE 105  
JUNEAU, ALASKA 99801**

**CLASS III MUNICIPAL  
SOLID WASTE DISPOSAL PERMIT  
CITY OF GUSTAVUS  
GUSTAVUS DISPOSAL & RECYCLING CENTER  
GUSTAVUS, ALASKA**

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PERMIT # SWSHA0011994:20103MA

Page 1 of 12  
DATE ISSUED: September 1, 2005

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This permit is issued to the City of Gustavus, Alaska for the management and operation of a Class III municipal solid waste disposal facility. It authorizes operation of a baler, compost facility and the disposal of an annual average of less than 5 tons per day of domestic and commercial refuse at the community 3 acre site. A baler/recycle and compost facility will be located within the landfill boundary. The City of Gustavus plans to separate out scrap metal, aluminum and potentially hazardous wastes as much as practicable at the baler/recycle facility prior to disposal into the landfill. Burning of clean wood and paper is allowed in the spring and fall at a separate burn area adjacent to the balefill. Open burning on the ground will not be allowed after July 1, 2006.

The landfill is located at Gustavus, Alaska, approximately 100 yards directly east of the Gustavus small boat harbor at 2 Boat Harbor Road, and is designated as Lot 6 in Section 18, Township 40 South, Range 59 East, Copper River Meridian. Operation of this facility is subject to the design and plans submitted in the application materials dated November 17, 1993, January 9, 1994, and November 13, 2000; the compost plan dated May 2005; the conditions contained in the permit; and the solid waste regulations. Modifications may be requested by the permittee but must be authorized in writing by a permit amendment.

This permit is subject to the conditions and stipulations contained in the following Appendices:

|   |         |
|---|---------|
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This permit is issued under provisions of Alaska Statute (AS) 46.03; Title 18, Chapters 15 and 50 of the Alaska Administrative Code, as amended or revised; and other applicable State laws and regulations.

Disposal of hazardous waste is prohibited and is considered a violation of the Alaska Administrative Code. Disposal of non-hazardous wastes not specifically mentioned in this permit may be requested in

writing by the permittee, but must be authorized by approval, permit modification or a permit amendment.

Groundwater monitoring is not required for a Class III landfill unless there is credible evidence that the water quality standards have been violated in a surface water body or an aquifer, or conditions at the landfill may result in harm to public health or the environment. The Gustavus landfill is in close proximity to drinking water wells located upgradient of the landfill and groundwater beneath the landfill may be tidally influenced. It is in the best interest of the public to know the condition of the groundwater at the landfill boundary in order to protect both drinking water and aquatic resources in the Salmon River. Therefore, groundwater monitoring is required.

This permit is effective upon issuance and expires September 1, 2010, at which time this permit must be renewed or the facility closed. An application for renewal must be received at least 30 days before this permit expires. The Department may terminate or modify this permit in accordance with AS 46.03.120.

Sincerely,

Douglas Buteyn  
Southeast Solid Waste Program Coordinator

**REGULATION, PERMIT AND APPLICATION COMPLIANCE**

I. This permit pertains to the operation of the existing landfill, composting and baler facility and is based on the following documents:

- the application dated November 17, 1993;
- renewal applications dated January 9, 1994 and November 13, 2000;
- the compost plan dated May 2005;
- the conditions contained in this permit; and
- the solid waste regulations in Title 18, Chapter 60 of the Alaska Administrative Code (18 AAC 60).

The permittee must comply with above mentioned documents unless otherwise specified in this permit. Modifications to this permit may be requested in writing but must be authorized by the Solid Waste Program Manager before any modification is in effect.

II. Upon any change in land ownership, the permittee shall submit a copy of the deed or another legal document that identifies the landowner and

- A. a copy of any lease agreement that is clearly relevant to the waste disposal activity; or
- B. a written statement signed by the landowner, showing that the landowner consents to the existing activity.

## **APPENDIX A: OPERATION OF FACILITY**

### **I. PROHIBITIONS**

- A. The disposal of hazardous waste, as defined by 40 CFR Part 261, is not permitted in this landfill under federal law. Waste meeting this definition must be disposed of in accordance with 40 CFR Part 262, Standards Applicable to Generators of Hazardous Waste.
- B. The permittee shall prohibit the disposal of saturated oily waste, liquid petroleum products, bulk liquids, commercial fish processing waste, radioactive material, regulated asbestos-containing material (RACM), liquid solvents, strong acids or bases, explosives, polychlorinated biphenyls, sewage sludge, or septage.
- C. The permittee shall require that all containers intended for disposal which exceed one gallon in size are open and empty of fluids prior to acceptance at the facility.
- D. The permittee shall not expand the part of the disposal facility that is circumscribed by the chain link fence as it appeared in August 1994 any farther to the east or south. If expansion is needed, the facility shall expand to the west. If bales are placed at the facility, a back-wall berm shall be provided along all southern and eastern aspects of the facility where bales are placed.

### **II. SALVAGING AND STORAGE OF WASTE OR RECYCLABLES**

- A. All scrap metal, junked vehicles, equipment and other materials stored at the site before shipment to recycling markets shall be prevented from leaking pollutants, such as antifreeze, petroleum products, and battery acids, onto the ground. In addition, all equipment shall be drained of all antifreeze and petroleum products before disposal at the site. All drums or barrels shall be crushed before landfilling.
- B. The permittee shall ensure that any stored waste shall be:
  - 1. stored in a safe and sanitary way that prevents a litter violation under AS 46.06.080; and,
  - 2. stored in a manner that prevents the attraction or access of wildlife or disease vectors to waste.

### **III. FENCES, GATES AND SIGNS**

- A. The permittee shall:
  - 1. maintain a readable sign at the entrance to the landfill which includes the following information:

- a. the name of the permittee;
  - b. notice to users that domestic and commercial recyclable waste must be taken to the baler facility or the appropriate area for processing;
  - c. user information such as operating hours, restrictions, and any special disposal instructions; and,
  - d. notice that some waste types, such as hazardous waste, are prohibited from disposal at the facility and a list of some of the more common prohibited wastes for the Gustavus area such as oil, liquid septage, commercial fish processing waste, explosives, petroleum solvents, regulated asbestos waste, etc.
2. ensure that signs are posted at appropriate areas of the facility in order to direct the public on the proper disposal of waste.

B. The permittee shall ensure that:

1. the public is prohibited from access to the disposal areas except during the hours of operation;
2. a gate with a lock is maintained at all entrances to the disposal areas when an attendant is not present; and,
3. access roads and on-site roads are kept passable by the operator.

IV. ITEMS SPECIFIC TO SOLID WASTE BALING

A. The permittee shall:

1. ensure that bales are disposed at least 2 feet above the high groundwater table and in a way which prevents contact with water;
2. ensure that bales are not deposited into a water saturated area;
3. limit the active portion to one working face and keep the exposed area as small as practical to reduce litter, odor, and to minimize to amount of water contact with the waste; and,
4. prevent animals from contacting the disposed waste.

B. The permittee shall ensure that:

1. intermediate cover is placed on any inactive portion of the landfill that will not receive waste for a period of 90 days or more; and
2. final cover is established on those areas that have reached final elevation within 90 days of the last waste placement.

C. Intermediate cover shall be soil at least 12 inches thick, compacted and graded to prevent water from ponding.

- D. Final cover shall be at least 24 inches of compacted soil material, graded and maintained to prevent ponding and erosion and to minimize the amount of water passing through the cover material.

V. INERT WASTE PIT

- A. Waste shall be consolidated and compacted at only one working face. The area of the working face inside the pit shall not exceed 100 square feet.
- B. Inert waste shall be disposed at least 2 feet above the high groundwater table.
- C. Cover will be applied as needed to prevent odor, blowing litter, fugitive ash dust, and vector attraction.
- D. The permittee shall ensure that:
  - 1. intermediate cover is placed on any inactive portion of the landfill that will not receive waste for a period of 90 days or more; and
  - 2. final cover is established on those areas that have reached final elevation within 90 days of the last waste placement.
- E. Intermediate cover shall be soil at least 12 inches thick, compacted and graded to prevent water from ponding.
- F. Final cover shall be at least 24 inches of compacted soil material, graded and maintained to prevent ponding and erosion and to minimize the amount of water passing through the cover material.

VI. ITEMS SPECIFIC TO AIR QUALITY

- A. The permittee is allowed to burn clean, dry wood and paper semi-annually, once at spring clean-up and once in the fall of each year. The burn shall not produce black smoke and shall be monitored throughout the period of the burn for maximum combustion efficiency. A burn shall be conducted only during a time when smoke will not affect nearby residences or otherwise cause a nuisance.
- B. The burn shall be located no less than 50 feet from any area where waste has been buried and no less than 50 feet from the permitted facility boundary within the facility.
- C. Fugitive ash dust emissions shall be prevented at the facility.

VII. ANIMAL CARCASSES, PATHOLOGICAL OR INFECTIOUS WASTE

- A. The permittee shall ensure all animal carcasses, pathological, or infections waste are incinerated prior to acceptance at the facility.

VIII. LEACHATE CONTROL

- A. The permittee shall cover, compact and grade all areas within the facility boundary to minimize percolation of water through previously disposed waste.

IX. SEPARATION DISTANCES

- A. The permittee shall dispose only within the existing fenced area as of August 1994.
- B. The permittee shall maintain a minimum horizontal separation distance of 50 feet between any designated waste storage or waste disposal area and the facility boundary.

X. COMPOST

- A. The permittee shall ensure that composted materials are handled:
  - 1. to prevent water quality violations; and,
  - 2. to prevent an odor nuisance.

XI. WATER QUALITY MONITORING

- A. The permittee shall provide and maintain a series of water quality monitoring stations as presented in the permit application dated January 9, 1994.
- B. Sampling and monitoring shall be conducted as required by Appendices B and C of this permit.

## **APPENDIX B: GROUNDWATER MONITORING**

- I. The permittee shall every two years sample the monitoring wells designated as Station #3 and Station #4 and, on an alternating basis, every two years sample the monitoring wells designated as Station #1 and Station #6 according to the monitoring section of the January 9, 1994 permit application. Monitoring at Station #3 and Station #4 shall occur at the peak of a higher-high tide event during the time of the year when precipitation is high in order to get a representative sample of the highest upgradient flow. Monitoring at Station #1 and Station #6 shall occur at the peak of the lower-low tide event during the time of the year when precipitation is the lowest.
- II. The depth to groundwater and the total depth of the well shall be measured relative to the top of the well casing in all four wells mentioned in Appendix B, part (1) during each sampling event. The time at which each sample is collected, the times at which high and low tides occurred on that day, and the amount of precipitation in the preceding week shall be noted and reported with the results of analysis.
- III. All samples shall include analysis for specific conductance, temperature, turbidity, chemical oxygen demand, pH, hardness, total organic halogens, arsenic, barium, cadmium, manganese, lead, copper, chromium, mercury, selenium, zinc, and nickel using approved EPA methods as specified in Appendix B, part (4) of this permit. The physical/visual description of each sample shall be noted. Upon request by the permittee, the department will review the results of the tests and determine if the sampling frequency may be reduced. The department may increase the testing frequency with any significant change in the design or operation of the landfill.
- IV. All groundwater monitoring shall be conducted in accordance with the QA/QC procedures submitted in the January 9, 1994 permit application and as amended on November 13, 2000.
- V. Unfiltered total recoverable metals results shall be reported to the ADEC Solid Waste Program as both dissolved and total recoverable according to the ADEC *Alaska Water Quality Criteria Manual for Toxic And Other Deleterious Organic and Inorganic Substances*, as amended May 15, 2003. Test procedures for analysis of pollutants shall conform to methods cited in 18 AAC 70.020(c) as amended through June 26, 2003, and in the *Alaska Water Quality Criteria Manual for Toxic and Other Deleterious Organic and Inorganic Substances*, dated May 15, 2003 and adopted by reference using EPA methods or as such regulations may be amended.
  - A. The following test methods shall be used for landfill water analysis.
    1. EPA Method #200.8 may be used for the following metals: Barium, Arsenic, Cadmium, Chromium, Copper, Lead, Manganese, Nickel, Selenium, and Zinc.
    2. EPA Method #245.1 or #245.2 shall be used for Mercury.
    3. EPA Method #130.2 shall be used for hardness.
    4. EPA Method #410.2 shall be used for chemical oxygen demand.
    5. EPA Method SW #9020 shall be used for total organic halogen.

6. EPA Method #120.1 shall be used for specific conductance.
7. EPA Method #150.1 shall be used for pH.
8. EPA Method #180.1 shall be used for turbidity.

*The permittee may substitute alternative methods of monitoring or analyses only upon receipt of prior written approval from the department.*

- VI. The permittee shall evaluate the groundwater monitoring data for compliance with water quality standards. If groundwater monitoring reveals a change in water quality the permittee shall:
- A. estimate the potential for a violation of the water quality standards described in 18 AAC 70;
  - B. determine if migration of waste or leachate from the facility is the cause of the change in water quality;
  - C. determine the extent of contamination;
  - D. take corrective actions to prevent a violation of the water quality standards; and
  - E. notify the department within seven days after detecting a violation of the applicable water quality standards.

**APPENDIX C: VISUAL MONITORING, RECORDS, AND REPORTING**

- I. Visual Monitoring. The permittee shall ensure that at least one person who is familiar with the requirements of this permit, the permit application material and with the applicable requirements of the state solid waste management regulations (18 AAC 60) conducts a visual inspection of the facility at least once per month. If any structural change in or damage to a facility or any violation of a permit condition is observed as the result of the visual monitoring program or an inspection by the department, the permittee shall notify the Department within 30 days; and, take appropriate corrective action to correct the violation or damage, prevent the escape of waste or leachate, and clean up any improper waste disposal.
- II. Monitoring Records. The permittee shall maintain a record of all visual, chemical and physical monitoring inspections and any corrective actions taken, and make those records available to the department upon request.
- III. Records Retention. All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instruments, and recordings from continuous monitoring instrumentation, shall be retained in Alaska for observation by the department for three years after expiration of the permit. Upon request from the department, the permittee shall submit certified copies of such records.
- IV. Reporting. The results of analyses in the wells specified in Appendix B.I. above shall be submitted to the department upon receipt of analysis. The permittee shall submit with the results of analysis a site map showing monitoring well locations and the information specified above in Appendix B.II.

## **APPENDIX D: GENERAL PERMIT CONDITIONS**

### **I. ACCESS AND INSPECTION**

The Permittee shall allow the Commissioner or his representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

### **II. INFORMATION ACCESS**

Except for information relating to confidential processes or methods of manufacture, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska, Department of Environmental Conservation, 410 Willoughby Ave, Juneau, AK 99501.

### **III. CIVIL AND CRIMINAL LIABILITY**

Nothing in this permit shall relieve the Permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

### **IV. AVAILABILITY**

The Permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

### **V. ADVERSE IMPACT**

The Permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The Permittee shall clean up and restore all areas adversely impacted by the noncompliance.

### **VI. CULTURAL OR PALEONTOLOGICAL RESOURCES**

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

### **VII. APPLICATIONS FOR RENEWAL**

In accordance with 18 AAC 15.100(d), applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

#### VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the Permittee. This permit does not relieve the Permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the Permittee pursuant to the terms of this permit and all plans implemented by the Permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

#### IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the Permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.