



# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Horacio Tablada, Secretary  
Suzanne E. Dorsey, Deputy Secretary

November 1, 2022

### CERTIFIED MAIL

Return Receipt Requested

Stephen J. Krajcsik  
Solid Waste Operations Administrator  
Anne Arundel County Department of Public Works  
389 Burns Crossing Road  
Severn, Maryland 21144

Dear Stephen J. Krajcsik:

Enclosed herewith is the State of Maryland Refuse Disposal Permit No. 2022-WMF-0240, which is being renewed pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder for the continued construction and operation of the Millersville Landfill and Resource Recovery Facility located at 389 Burns Crossing Road, Severn in Anne Arundel County, Maryland. This permit supersedes and replaces Refuse Disposal Permit No. 2017-WMF-0240.

Please note that this permit is subject to the terms and conditions, which are enclosed. No written response from the permittee regarding this permit ten days following receipt of this letter constitutes acceptance of the terms and conditions contained therein.

If you have any questions regarding this matter, please contact me or Mr. Andrew Grenzer at (410) 537-3315 or [andrew.grenzer@maryland.gov](mailto:andrew.grenzer@maryland.gov).

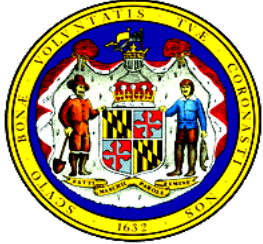
Sincerely,

Edward M. Dexter, P.G., Administrator  
Solid Waste Program (SWP)

Enclosure

cc: Kaley Laleker, Director, Land and Materials Administration (LMA) LMA/MDE  
Andrew Grenzer, Chief, Solid Waste Operations Division, SWP/LMA (w/encl.)  
Brian Coblenz, Chief, Compliance Division, SWP/LMA (w/encl.)  
Samuel Ogbogu, Head, Construction and Maintenance Section, SWP/LMA  
Sara Haile, Project Manager, Construction and Maintenance Section, SWP/LMA (w/encl.)

MARYLAND DEPARTMENT OF THE ENVIRONMENT



Larry Hogan  
Governor

Land and Materials Administration  
Solid Waste Program

1800 Washington Boulevard, Suite 605, Baltimore, Maryland 21230-1719



Horacio Tablada  
Secretary

**Refuse Disposal Permit**  
***No. 2022-WMF-0240***

**ISSUE DATE:** November 1, 2022

**EXPIRATION DATE:** October 31, 2027

**Issued to:** Anne Arundel County Department of Public Works

**Authorizing:** the continued construction and operation of the Millersville Municipal Landfill and Resource Recovery Facility

**Located at:** 389 Burns Crossing Road, Severn in Anne Arundel County, Maryland

*This permit is renewed pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, and regulations promulgated thereunder, and is subject to the attached terms and conditions, and compliance with all applicable laws and regulations.*

Handwritten signature of Edward M. Dexter in blue ink.

Edward M. Dexter, P.G., Administrator  
Solid Waste Program

Handwritten signature of Kaley Laleker in blue ink.

Kaley Laleker, Director  
Land and Materials Administration

**REFUSE DISPOSAL PERMIT**

Permit No. 2022-WMF-0240

Issuance Date: November 1, 2022

Expiration Date: October 31, 2027

**STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT  
1800 Washington Boulevard  
Baltimore, Maryland 21230-1719**

This Refuse Disposal Permit is renewed pursuant to the provisions of Title 9 of the Environment Article, Annotated Code of Maryland, by the Maryland Department of the Environment, Land and Materials Administration (the "Department") to:

**Anne Arundel County Department of Public Works (the "permittee")  
389 Burns Crossing Road  
Severn MD 21144**

for the construction and operation of the

**Millersville Municipal Landfill and Resource Recovery Facility**

encompassing a

**269-acre fill area on a 567.66-acre site**

located at

**389 Burns Crossing Road  
Anne Arundel County, Maryland**

This permit is granted in accordance with the referenced documents in Part I, and subject to the terms and conditions specified in Parts II, III, and IV of this Permit as follows:

- Part I:** Referenced Materials - permit application, plans and specifications and other pertinent documents submitted to the Department.
- Part II:** Facility Specific Conditions - conditions which amend all other permit conditions applicable to this facility should any discrepancies or conflicts exist.
- Part III:** General Conditions - conditions which are generally applicable to solid waste acceptance facilities similar to this facility.
- Part IV:** Standard Conditions - conditions which are generally applicable to all solid waste acceptance facilities.

## **Part I: Referenced Materials**

### **A. Operating Documents:**

1. Plans entitled “Millersville Sanitary Landfill Operational Plans”, prepared by Century Engineering, Inc., dated July 1974.
2. A report entitled “Millersville Sanitary Landfill Phase II Permit Modification Application, Volumes I and II”, prepared by Geosyntec Consultants and Gershman, Brickner and Bratton, Inc., dated October 26, 1989.
3. A report entitled “Millersville Sanitary Landfill Phase III Permit Modification Application”, prepared by Geosyntec Consultants and Gershman, Brickner and Bratton Inc., dated November 1991.
4. A report entitled “Final Closure and Remediation Action Plan for Cells 1 to 4, Millersville Sanitary Landfill”, prepared by Geosyntec Consultants, dated November 1992 and received on November 25, 1992.
5. Closure Plan, Combined Cells 5, 6, and 7, Millersville Sanitary Landfill, Anne Arundel County, prepared by Geosyntec Consultants and received on July 12, 1993.
6. Air and Radiation Management Administration Permit by the Department for the Anne Arundel County Department of Public Works for the construction of an enclosed ground flare at the Millersville Municipal Landfill, dated August 25, 1993.
7. A report entitled “Millersville Sanitary Landfill Cell 8 Liner System and Performance Demonstration for Compliance with 40 CFR §258.40”, prepared by Geosyntec Consultants, dated January 1994.
8. A report entitled “Millersville Sanitary Landfill Cell 9 Liner System and Performance Demonstration for Compliance with 40 CFR §258.40”, prepared by Geosyntec Consultants, received on March 25, 1994.
9. A report entitled “Phase III Permit Application, Millersville Sanitary Landfill Anne Arundel County”, consisting of Volumes I and II, prepared by Geosyntec Consultants, dated April 1994 and received on April 15, 1994.
10. Anne Arundel County Landfill Water Supply Contingency Plan dated February 1995 and received on March 22, 1995.
11. Document entitled “Hydrological Investigation of Subcell 8.8 at Millersville Landfill and Resource Recovery Facility”, consisting of Attachment C, prepared by Environmental Resources Management, Inc., dated February 2004 and received on February 4, 2004.

12. A letter to the Department from Anne Arundel County Department of Public Works concerning comments on the Hydrological Investigation report consisting of responses and Attachments 1 through 3, prepared by Gannett Fleming, Inc., dated April 7, 2004 and received on April 12, 2004.
13. Document entitled “Monitoring Plan for the Subcell 8.8 Underdrain at the Millersville Landfill and Resource Recovery Facility”, consisting of plan Sheet Nos. 1 of 8 through 8 of 8, prepared by Environmental Resources Management, Inc., dated June 21, 2004 and received on June 24, 2004.
14. Document entitled “Monitoring Plan for the Subcell 8.8 Underdrain at the Millersville Landfill and Resource Recovery Facility”, prepared by Environmental Resources Management, Inc., dated May 9, 2005 and received on June 8, 2005.
15. Construction as built documents entitled “Construction Report for Cell 8, Subcells 8.7 and 8.8 Millersville Landfill and Resource Recovery Facility, Anne Arundel County, Maryland” consisting of Volumes 1 through 4, along with GSE Lining Technology, Inc. liner specification, dated October 2006 and received on November 27, 2006.
16. Plans entitled “Phase III Permit Modification Application Drawings (For Existing Refuse Disposal Permit Number 1999-WMF-0240), Sediment and Erosion Control Plan No. 307-24, Millersville Sanitary Landfill, Cell 8, Anne Arundel County, Maryland”, consisting of Drawing Nos. 1 of 85 through 85 of 85, dated June 1993, revised July 1994, November 7, 1996, August 9, 2001, January 26, 2004, August 20, 2004, and January 27, 2006, and approved by the Anne Arundel Soil Conservation District on August 11, 2009.
17. Document entitled “Environmental Monitoring Plan Update, Millersville Landfill and Resource Recovery Facility, Anne Arundel County, Maryland”, prepared by Environmental Resources Management, Inc., dated November 13, 2009 and approved on March 25, 2010.
18. Plans and a report entitled “MLF Subcell 8.7 – LFGMS Expansion” prepared by Golder Associates, dated May 13, 2010 and consisting of Sheet Nos. 1 of 6 through 6 of 6. A revision to the plans was received on June 17, 2010 entitled “Proposed Extension of the Cell 8 Landfill Gas Collection System” consisting of specifications and Sheet No. 1 of 2 and Sheet No. 2 of 2.
19. Landfill gas management system construction as-built drawings for Subcell 8.7 at Millersville Landfill and Resource Recovery Facility, consisting of Sheet Nos. 1 of 7, 2A of 7, 3 of 7 through 7 of 7, and 1 of 1, dated March 2011 and received on April 6, 2011.
20. Plans entitled “Millersville Landfill Gas to Electricity Project”, consisting of Sheet Nos. C-0 through C-7, A-1 through A-10, S-0 through S-3, ME-1, M-0 through M-13, and E-0 through E-14, dated October 21, 2011 and submitted by Northeast Maryland Waste Disposal Authority.

21. Document entitled “Construction Documentation Report for MLF Subcell 8.7 – LFGMS Expansion, Millersville Landfill and Resource Recovery Facility”, prepared by Golder Associates, dated September 2011 and received on November 22, 2011.
22. Document entitled “Anne Arundel County Department of Public Works, Millersville Landfill and Resource Recovery Facility Cell 8 - Subcell 8.8 - Landfill Gas Management System Expansion”, consisting of Sheet Nos. 1 of 9 through 9 of 9, dated February 2013 and received on March 15, 2013.
23. Document entitled “Millersville Landfill and Resource Recovery Facility, Anne Arundel County Subcell 9.1 - Construction”, consisting of Sheet Nos. 1 of 61 through 61 of 61, prepared and submitted by SCS Engineers, dated September 23, 2013 and received on September 24, 2013.
24. As-built document entitled “Millersville Landfill and Resource Recovery Facility Cell 8, Subcell 8.8 Landfill Gas Management System Expansion”, prepared by Barton & Loguidice, LLC, dated November 2013 and received on May 13, 2014.
25. Document entitled “Millersville Landfill and Resource Recovery Facility Landfill Gas to Energy Project”, consisting of Volumes I and II, prepared by ARM Group Inc., dated January 2014 and received on May 13, 2014.
26. Construction s entitled “Millersville Landfill - Subcell 9.1” for the Millersville Municipal Landfill and Resource Recovery Facility, dated May 2014, which include erosion and sediment control plans approved by the Anne Arundel Soil Conservation District on July 7, 2014, consisting of Sheet Nos. 1 of 61 through 61 of 61 and EV-1 of 27 through EV-26 of 27 enclosed in Volumes 1 of 3 through 3 of 3, prepared by SCS Engineers and received on February 13, 2015.
27. Document entitled “Cell 8 Final Closure Plan”, consisting of drawing Nos. 1 of 28 through 28 of 28, prepared and submitted by Geosyntec Consultants, dated October 2015 and received on October 26, 2015.
28. Drawings entitled “Flare Compound Rehab Project”, consisting of Sheet Nos. 1 of 7 through 7 of 7, prepared and submitted by SCS Engineers, dated November 16, 2015 and received on November 18, 2015.
29. As-built document entitled “Construction Quality Assurance Final Report”, consisting of Volumes 1 of 2 and 2 of 2 for the construction of Cell 9, Subcell 9.1, at the Millersville Municipal Landfill and Resource Recovery Facility, prepared and submitted by Geosyntec Consultants, dated December 2017 and received on December 6, 2017.
30. Document entitled “Cell 567 Replacement Cap Plan”, consisting of Sheet Nos. 1 of 21 through 21 of 21, prepared and submitted by Geosyntec Consultants, dated June 2018 and received on June 19, 2018.
31. A revised operations plan entitled “Landfill Management and Operations Guide”, prepared by Barton & Loguidice, D.P.C., dated June 2018 and received on October 1, 2018.

32. Document entitled “Subcell 9.2 Design Report for Millersville Landfill and Resource Recovery Facility”, consisting of Sheet Nos. 1 of 40 through 40 of 40, prepared and submitted by Geosyntec Consultants, dated August 2019 and received on August 6, 2019.
33. Engineering drawing entitled “Subcell 9.2 Construction Drawings, Millersville Landfill and Resource Recovery, Project No. N561400, Contract No. N561401”, consisting of Sheet No. 1 of 40, prepared and submitted by Geosyntec Consultants, dated August 2019 and received on September 12, 2019.
34. As-built document entitled “Cell 8 Closure Construction Quality Assurance/Quality Control Certification, Millersville Landfill and Resource Recovery Facility”, consisting of Volumes 1 through 4, prepared and submitted by ARM Group Inc., dated August 2019, and received on August 30, 2019.
35. As-built document entitled “Construction Certification Report, Millersville Landfill and Resource Recovery Facility, Cell 567 Replacement Cap”, prepared and submitted by SCS Engineers, dated December 17, 2020, received on December 22, 2020, and revised on April 20, 2021.
36. As-built document entitled “Construction Certification Report, Millersville Landfill and Resource Recovery Facility, Subcell 9.2 Construction”, prepared and submitted by SCS Engineers, dated June 14, 2021, received on June 15, 2021.
37. A Refuse Disposal Permit Renewal Application for the Millersville Municipal Landfill and Resource Recovery Facility, dated August 10, 2022 and received on August 16, 2022.

**B. Historical Facility Documents:**

1. A report entitled “Millersville Sanitary Landfill Ground-Water Investigation Report, Volumes I and II”, prepared by Geosyntec Consultants and Gershman, Brickner and Bratton, Inc., dated July 1990.
2. Plans entitled “Millersville Sanitary Landfill Construction Drawings, Specifications and Construction Quality Assurance Plan for Cell 8, Subcells 1 through 4, Phase III Permit Modification Application”, prepared by Geosyntec Consultants, dated July 1992.
3. A report entitled “Anne Arundel County, Maryland, Millersville Sanitary Landfill, Landfill Operations and Management Guide, Groundwater and Gas Monitoring Plan, Volumes I and II”, prepared by Geosyntec Consultants, dated January 1993 and received on February 10, 1993.
4. A report entitled “Millersville Sanitary Landfill Evaluation of the Performance of the Double-Liner System Design for Cell 8 and Comparison to the USEPA Performance Standard 40 CFR §258.40 (a)(1)”, prepared by Geosyntec Consultants, dated May 1993.

5. A letter dated April 26, 1994 from the Department to Anne Arundel County Department of Public Works concerning the Cell 3 refuse relocation report at Millersville Municipal Landfill.
6. A letter dated October 20, 1994 from the Department approving a request from the Anne Arundel County Department of Public Works for relief from the restriction against the use of geotextile during periods of inclement weather at the Millersville Municipal Landfill.
7. A conditional operational variance approval letter dated January 3, 1996, from the Department approving the continued use of a woven synthetic tarp at the Millersville Municipal Landfill as an alternative daily cover for the working face of the fill.
8. A letter dated April 29, 1996 from the Department allowing the Anne Arundel County Department of Public Works to discontinue submission of Alternative Daily Cover reports for the Millersville Municipal Landfill.
9. Phase III Permit Modification Application Drawings, Millersville Sanitary Landfill, Anne Arundel County, prepared by Geosyntec Consultants, consisting of Drawings 1 of 46 through 46 of 46, dated June 1993, with subsequent revisions for Subcell 8.5, dated July 15, 1994 and November 7, 1996 for Subcell 8.6, and approved by the Anne Arundel County Soil Conservation District on February 26, 1997.
10. A wetland permit from the U.S. Department of the Army, Army Corps of Engineers, concerning wetlands for the construction of Cell 9 at Millersville Municipal Landfill, dated June 26, 1997.
11. A plan entitled “Anne Arundel County Department of Public Works, Millersville Landfill, Cell 9, Sediment Control Facilities Phase I”, prepared by McCrone Engineering Environmental Services, consisting of Sheet Nos. 1 of 8 through 8 of 8, dated June 3, 1998 and approved by Anne Arundel County Soil Conservation District on August 26, 1998.
12. A Refuse Disposal Permit Renewal Application for the Millersville Municipal Landfill, Dated August 19, 1999 and received on August 23, 1999.
13. Document entitled “USEPA Project XL Final Project Agreement, Bioreactor Pilot Project, Anne Arundel County Department of Public Works, Waste Management Services, Millersville Landfill and Resource Recovery Facility”, dated December 2000.
14. A Refuse Disposal Permit Renewal Application for the Millersville Municipal Landfill dated September 7, 2007 and received on September 11, 2007.
15. A Refuse Disposal Permit Renewal Application for the Millersville Municipal Landfill and Resource Recovery Facility dated September 11, 2012 and received on September 12, 2012.
16. A Refuse Disposal Permit Renewal Application for the Millersville Municipal Landfill and Resource Recovery Facility, dated August 18, 2017 and received on August 22, 2017.



## **Part II: Facility Specific Conditions:**

### **A. Hours of Construction and Operation:**

1. The permittee may construct and operate this facility during daylight only between the hours of 7:30 a.m. and 5:00 p.m. Monday through Saturday, and 8:00 a.m. to 4:00 p.m. on Sunday. Operations may be performed during these hours after sunset or before sunrise if artificial light adequate to perform the activity in a safe and acceptable manner is provided to the satisfaction of the Department.
2. These specified hours may be changed upon written approval by the Department. For approval, a letter requesting the change of hours and a letter from the appropriate local government office stating that the change is consistent with local zoning and land use requirements must be submitted with such a request.
3. A statement of the days and hours of operation shall be posted at the entrance to the facility.
4. Emergency conditions or unusual circumstances that require the performance of the activities authorized under A.1 after hours, shall be reported to the Department at (410) 537-3315 during normal business hours, or via the Department's Emergency line at (866) 633-4686 at other times.
5. The Department may authorize an extension of the facility's hours of operation in emergency conditions. This approval does not authorize any infringement of federal, State or local laws or regulations, such as local zoning and land use requirements.

### **B. Pollution Prevention Requirements for Subcell 8.8 Underdrain:**

1. Samples shall be taken semiannually from the monitoring well TW-26 and analyzed for the parameters identified in the "Monitoring Plan for the Subcell 8.8 Underdrain at the Millersville Landfill and Resource Recovery Facility" dated May 9, 2005 and the Millersville Landfill Environmental Monitoring Plan for onsite compliance wells. Depending on the results of the sample analysis, the Department may determine if the sampling parameters or the sampling frequency need to be increased or decreased.
2. Operation of the Subcell 8.8 Underdrain shall not cause the annual average (geometric mean) concentration of any parameters analyzed in B.1 to exceed the established Maximum Contaminant Level (MCL). If exceedance of a MCL occurs, then a verification sampling event will be performed within 21 days to verify the result. If the verification event verifies the exceedance,

then the contingency plan stipulated in B.3 will be implemented to address the groundwater quality.

3. If a verification sampling event as described in B.2 confirms a MCL exceedance or exceedance of the background mean concentration, then the permittee shall prepare a contingency plan to address the exceedance. Based on the level and nature of the exceedance, the contingency plan recommendation could be for no action, continued monitoring or a plan to implement measures to protect public health and the environment from adverse impact from the underdrain operation, if site monitoring indicates the potential for such impacts. The contingency plan shall be submitted to the Department within 60 days of the aforementioned exceedance.

**C. Plans and Specifications:**

The approved plans and specifications under Part I and II of this permit shall be considered to override any conflicting requirements under Parts III and IV of this permit. All requirements in Parts III and IV that are not overridden by an approved plan or specification under Part I or II of this permit remain valid and enforceable.

**Part III: General Conditions (Applicable to Municipal Solid Waste Landfills):**

**A. Waste Restrictions:**

1. The permittee may accept solid waste as specified in this facility's Refuse Disposal Permit Application and its supporting documents identified in Part I of this permit, except as restricted or prohibited in this condition.
2. If the permittee accepts the following classes of waste as defined below, the acceptance of these materials is subject to the exceptions noted:
  - a. Household appliances and white goods may be accepted at the facility, provided that any refrigerant is removed from the appliances before burial and handled in accordance with Section 608 of the federal Clean Air Act; and
  - b. Friable asbestos waste, provided that the material that is received is packaged and labeled as specified in Code of Maryland Regulations (COMAR) 26.11.21.08A and is managed in the following manner:
    - i. Prior notification to the landfill supervisor is required;
    - ii. The waste asbestos is unloaded carefully to prevent emission of fibers into the air as required in the NESHAPS 40 CFR Part 61, and specified in COMAR 26.11.21.06;
    - iii. The area used for burial of asbestos shall be restricted to the working face of the landfill, or a separate cell dedicated solely to asbestos disposal;
    - iv. The waste shall be completely covered with earth or other refuse and may not be compacted or driven over until sufficient cover has been applied to prevent the release of asbestos fibers to the atmosphere during compaction or application of other cover material; and
    - v. When managing friable asbestos waste, operators at the landfill shall wear respiratory protection as specified in COMAR 26.11.21.05A, and wear protective clothing and use the equipment specified in COMAR 26.11.21.05D.

3. The following waste materials are specifically prohibited from being accepted at this site, regardless of their origin or type:
  - a. Controlled hazardous substances, defined as hazardous waste in COMAR 26.13.02, unless specifically authorized by a valid permit issued under COMAR 26.13.07;
  - b. Liquid waste or any waste containing free liquids, as determined by the EPA method 9095 Paint Filter Liquids test, as outlined in the EPA Publication SW-846 "Test Methods for Evaluating Solid Waste, Volume One, Section C: Laboratory Manual Physical/Chemical Methods", Third Edition, dated November 1986, except for small containers contained in household waste only;
  - c. Special medical waste as defined in COMAR 26.13.11.02B(11);
  - d. Radioactive hazardous substances as defined in COMAR 26.15.02;
  - e. Automobiles, unless accepted under a plan approved by the Department;
  - f. Drums or tanks, unless empty and flattened or crushed with the ends removed; drums or tanks that have held hazardous waste shall be emptied properly in accordance with COMAR 26.13.02.07;
  - g. Animal carcasses resulting from medical research activities or destruction of diseased animals harboring diseases transmittable to humans, unless acceptance of the carcass(es) is ordered by the local county health officer, and the carcasses are covered with soil immediately upon deposition at the working face of the landfill;
  - h. Untreated liquid septage or sewage scavenger waste;
  - i. Chemical or petroleum cleanup material, unless:
    - i. The nature of the spilled substance is known;
    - ii. The spilled material is not a controlled hazardous substance as defined in COMAR 26.13.02;
    - iii. The spilled material is not likely to adversely affect the landfill liner; and

- iv. The spilled substance is contained in an absorbent material of sufficient excess volume so that the material deposited at the landfill does not exhibit free liquids as defined in Part III.A.3(b) of this permit.
  - j. Incinerator ash material;
  - k. Truckloads of separately collected yard waste for final disposal, unless the permittee provides for the composting or mulching of the yard waste;
  - l. Loads of separately collected food waste for final disposal unless the owner or operator provides for the organics recycling of the food waste; and
  - m. Scrap tires, unless the Department authorizes the acceptance and processing of scrap tires as required in COMAR 26.04.08.
- 4. If sewage sludge, processed sewage sludge, or any other product containing these materials is proposed for storage, handling, or utilization at the landfill site, a separate application shall be submitted to the Biosolids Division for a sewage sludge utilization permit. That permit must be issued prior to the acceptance on site of any sewage sludge.
- 5. The Department, upon written request of the permittee, may amend the list in Part III.A. If the Department denies the permittee's request or unilaterally determines to limit or exclude a waste stream from being disposed of at the landfill, the permittee will be notified of the Department's decision in writing and will be provided an opportunity for a hearing in accordance with the Administrative Procedure Act.

**B. Cell Floor Construction:**

- 1. The permittee shall notify the Department in writing 5 working days prior to the anticipated start of each phase of floor construction including floor grading and compaction, liner installation, and leachate collection system installation.
- 2. No waste emplacement may commence in any area of the landfill, unless said area of the cell floor has been constructed and graded in accordance with the approved plans and specifications.
- 3. During construction of each area of the landfill, the edges of each landfill cell or subcell shall be marked to indicate where the edge of the permitted disposal area is located:

- a. For the exterior edges of cells, which delineate the boundary of the area permitted for solid waste acceptance and disposal, a permanent means of marking such as durable posts set in concrete shall be placed around the boundary every 250 feet. The posts shall be placed as close to the solid waste boundary as is possible without causing damage to the liner or other pollution control systems, and if more than 1 foot away shall have a durable marking indicating the amount of offset from the permitted disposal area. In no case shall the post be more than 5 feet away from the solid waste boundary unless otherwise approved by the Department;
  - b. For the interior edges of subcells, where a new waste disposal area will eventually be constructed contiguous to an existing solid waste disposal area, a semipermanent method of demarking the prepared disposal area such as wooden or fiberglass stakes shall be installed no more than 100 feet apart, and at every corner or significant change in direction. These stakes shall be placed within 1 foot of the edge of the prepared area, and shall be checked and replaced as necessary. The marking may only be removed in accordance with an approved schedule for construction of the adjacent subcell. Care must be taken to insure that the liner, leachate collection system, and other pollution control systems are not damaged by the installation of the markers;
  - c. Posts, stakes or other approved methods must be maintained in a serviceable condition at all times, and repaired as necessary; and
  - d. Alternative means may be substituted if approved by the Department.
4. No liner and leachate collection system installation may commence in any cell unless the following requirements are fulfilled:
- a. The design of the liner and leachate collection system shall comply with the minimum requirements specified under COMAR 26.04.07.07C(12) and the federal regulations specified in 40 CFR §258.40. The design of the liner and leachate collection system must be approved by the Department before installation begins;
  - b. A plan for the installation of synthetic membrane sections, illustrating overlap and seams, and sequence of installation shall be prepared and submitted to the Department at least ten days prior to the start of liner installation;

- c. The sub-base for the synthetic membrane must be cleared of tree stumps, roots, vegetation, rubble, debris, angular rocks or stones, sharp-edged objects, and any material that may puncture or damage the overlying synthetic membrane to a maximum particle size established in accordance with the manufacturer's recommendations;
  - d. Sub-base construction must be conducted in lifts not to exceed 6 inches in thickness and compacted to the required density prior to addition of another lift; and
  - e. To ensure that the highest quality sub-base layer and synthetic membrane field seams are produced, continuous monitoring of all sub-base construction and synthetic membrane seaming operations shall be conducted by trained, experienced construction quality assurance monitors. In addition, undisturbed samples of the sub-base shall be tested for as-constructed permeability and 100 percent of all field seams shall be field tested (using an approved test method) as part of the liner installer's construction quality control activities. A quality assurance/quality control plan shall be submitted to the Department for review and approval. Quality assurance/quality control shall be performed by an independent contractor not associated with the construction contractor.
5. Synthetic membrane other than that specified in the approved plans and specifications may be used upon prior written approval from the Department.
6. The synthetic membrane sheets shall be properly seamed in accordance with the manufacturer's recommendations. All field seams shall be visually inspected and tested using the vacuum chamber method, air lance method or other nondestructive testing methods as recommended by the manufacturer. Construction verification tests including seam integrity verification, liner thickness, liner and seam strength, and other parameters shall be included in the quality assurance/quality control plan approved by the Department. Any imperfect seams, holes, punctures, and damaged areas shall be completely repaired or replaced as necessary to ensure the liner integrity. All factory seams shall be checked visually.
7. Any method of liner and leachate collection system construction which departs or varies in any way from those methods described in the approved plans and specifications or the procedures specified herein must be approved in writing by the Department before construction.

8. An independent engineer or the manufacturer of the perforated and un-perforated pipes and fittings used in construction of the leachate collection system shall certify that:
  - a. The material meets the required standards and specifications as addressed in the approved plans and specifications;
  - b. The pipes have a maximum 7.5% allowable ring deflection, unless otherwise specified in the approved plans;
  - c. The pipes have factors of safety against crushing and buckling of 2 or greater under dynamic (short duration) loading and 24 hours stationary (long duration) loading from landfill equipment and vehicles; and
  - d. The pipes are new and not defective.
9. All piping projections through the synthetic membrane liner shall be properly installed in accordance with the plans and specifications.
10. Each leachate collection pipe shall be inspected prior to installation, and tested to ensure that no clogging exists, that it is a properly manufactured pipe, and that it was not damaged in transit.
11. The leachate collection pipes, storage unit(s), and sumps shall be tested for leaks after installation.
12. The permittee must obtain certification from the manufacturer(s) that the synthetic membrane to be used as liner has thickness as specified in the approved plans and specifications with a permeability less than or equal to  $1 \times 10^{-10}$  cm/sec, and meets all of the applicable ASTM standards. A copy of the certification must be appended to the approved plan for the facility and provided to the Department within 60 days of receipt of the certification.
13. Following the satisfactory installation of the cell floor liners, the overlying layer shall be placed as soon as is practical for the protection of the liner.
14. No waste placement may commence in any cell unless and until the following requirements are fulfilled:
  - a. All monitoring wells have been installed, sampled and analyzed by the permittee in accordance with the approved monitoring program for the establishment of background water quality;



- b. The cell floor liner and leachate collection system have been installed in accordance with the approved plans and specifications, and the requirements of this permit;
- c. A minimum of 2 feet of pea gravel or other approved drainage material shall be placed to provide for the free passage of leachate to the liner and to serve as a protective layer for the liner and leachate collection system; and
- d. Representatives of the Department have inspected and approved the construction of the cell floor.

**C. Protection of Liner and Leachate Collection System:**

A minimum of 4 feet of select waste containing no long pipes, boards, or other materials that could damage the liner and leachate collection system must be placed over the protective layer before compaction, to minimize the risk of damage to the liner and leachate collection system. No refuse hauling vehicles, equipment used for landfilling operations, or any heavy equipment shall operate over the leachate collection pipes and liner on the floor and side of the cell slopes until there is at least 4 feet of select waste placed upon the protective drainage layer. The permittee must notify the Department prior to the placement of the select waste.

**D. Leachate:**

- 1. All ponded leachate occurring in areas that are not part of an approved leachate collection or treatment system shall be collected and treated in accordance with this permit.
- 2. Untreated leachate or contaminated liquid may not be discharged to the waters of the State, without prior approval of the Department. The permittee must notify the Department within 1 hour of becoming aware of any leachate or contaminated liquid discharge leaving the site or having the potential of being released off-site.
- 3. All leachate collected in the leachate collection system shall be stored in the leachate storage unit(s) as specified in the approved engineering plans and specifications (also known as the Phase III Report) referenced in Part I of this permit. Leachate shall be discharged to the sanitary sewer system or an approved waste water treatment plant in compliance with the provisions of COMAR 26.08.08 unless other methods of disposal are permitted by the Department.
- 4. Leachate or other contaminated liquids shall not be discharged,

recirculated, or treated on site without prior approval of the Department. Leachate recirculation, treatment and/or discharge shall also comply with the federal regulation specified in 40 CFR §258.28(a)(2). Any approved modifications to plans and specifications will be incorporated by reference as part of this landfill's permit.

5. The permittee shall monitor the leak detection unit, if any, at least twice each month and include the results in the semiannual report on water quality referenced in this permit.
6. Except for a leachate collection system relying solely on free gravity drainage to prevent leachate from ponding on the cell floor, the level of leachate in the leachate collection system shall be monitored a minimum of twice each operating day except Sundays and holidays. The data shall be recorded and initialed by the person performing the monitoring. Results are to be included in each semiannual report on water quality referenced in this permit.
7. To ensure the integrity and proper operation of the landfill's leachate storage unit(s), all leachate storage unit(s):
  - a. Shall be either tested annually, be equipped with a release detection system, or have some other method of determining leakage that is approved by the Department; and
  - b. Shall be equipped with a level sensor that will, if the storage unit is nearly full, activate an audible alarm in the landfill office and a red light that is visible from the public road at all times of the year. The alarm and light shall be tested weekly and the results of these tests included in the semiannual report on water quality referenced in this permit. A sign shall be posted at the gate with instructions to notify the appropriate local and State emergency numbers, including the Department's phone number, if the light is on when the site is closed. Upon request, the Department may approve alternative alarm notification systems.
8. Commencing on the day that solid waste is received at the landfill, the permittee shall monitor the quantity of leachate and other contaminated liquids collected each and every calendar month. The results of this monitoring shall be included in the semiannual report on water quality as required by the landfill's permit. The report shall include:
  - a. The volume of leachate or other contaminated liquid collected monthly. Quantities shall be reported in gallons or cubic feet;

- b. The method used to measure the quantities of leachate coming from the leachate collection systems;
  - c. The volume of liquid discharged to a sanitary sewer. Quantities shall be reported in gallons or cubic feet;
  - d. The volume of liquid disposed of by any means other than that specified in (c). Quantities shall be reported in gallons or cubic feet;
  - e. The results of any chemical analyses performed on the collected liquid; and
  - f. The estimated total amount of cumulative precipitation received at the landfill based on local climatological data. Quantities shall be reported in inches and the source of the data shall be stated in the report.
9. If applicable, means for separating and diverting uncontaminated storm water from the leachate collection system within lined landfill cells may be proposed by the permittee. If approved by the Department, the plans and specifications for the separation and diversion of uncontaminated storm water shall be incorporated into and become as part of this permit. Until such plans are approved, all water collected from cells containing refuse shall be treated as leachate.
10. Should a force main be constructed to convey leachate to a sewer system, the following conditions shall be met:
- a. All pretreatment requirements established in COMAR 26.08.08 shall be met;
  - b. A flow meter shall be installed, with results to be recorded daily and included in the semiannual report on water quality referenced in this permit. Upon request, the Department may approve an alternative accurate flow measurement method; and
  - c. The force main shall be pressure tested prior to use, by a method to be proposed to and approved by the Department.

**E. Water Level Measurement:**

1. The water elevations in all existing monitoring wells and piezometers shall be measured monthly and the readings shall be included in the semiannual water quality report referenced in this permit.

2. If examination of this information by either the permittee or the Department indicates that groundwater elevations have risen to encroach upon any existing or proposed cell floors, the bottom elevations of all subsequently constructed cells shall be raised. Except as permitted by the regulations, the increase in elevation shall be sufficient to ensure a minimum buffer of 3 vertical feet between the base of any unconstructed fill areas, as well as the base of any unfilled areas of the waste cell currently being filled, and the highest observed or expected water level. A revised plan and specifications of all cell floors to be constructed, depicting these changes, must be submitted to the Department for review and approval prior to commencement of construction of any cell area.

**F. Written Reports on Water Quality Analysis:**

1. Within 90 days of the effective date of this permit, the permittee shall submit a hard copy and a searchable electronic/digital copy to the Department for review and approval a Groundwater and Surface Water Monitoring (G&SWM) Plan. The Plan shall be prepared in accordance with COMAR 26.04.07.08B(17), 26.04.07.09F, 40 CFR §258, and guidelines established by the Department.
2.
  - a. The permittee shall submit to the Department a semiannual report on water quality containing summary and interpretative discussion of all analyses of the chemical quality of groundwater from all of the monitoring wells and all of the surface water monitoring points specified in the approved G&SWM Plan;
  - b. The semiannual report on water quality shall be submitted to the Department within 90 days of the close of every first and third calendar quarters unless an alternative schedule is specified in the approved G&SWM Plan;
  - c. Sampling shall occur during the period between January through March and July through September of each year unless an alternative schedule is included in the G&SWM Plan and approved by the Department;
  - d. The permittee shall arrange for a qualified groundwater scientist to sample, or to oversee qualified environmental technicians who sample the wells twice annually at the intervals specified in the approved G&SWM Plan;
  - e. The parameters to be measured and their Practical Quantitation Limits (PQL) are listed in Tables I and II of this permit. The

Department may approve an alternative list of parameters or an alternative PQL for any parameter;

- f. The sampling, sample handling, analyses and reporting of analytical parameters shall be performed in accordance with the approved G&SWM Plan;
- g. A qualified independent laboratory certified for water quality analysis by the Department or which is otherwise acceptable to the Department shall perform the analyses;
- h. A qualified groundwater scientist or professional shall evaluate the results and advise the permittee of any changes in water quality or any exceedance of the State and federal Maximum Contaminant Level (MCL), Action Level or other health standard;
- i. A complete copy of the laboratory data, and the qualified groundwater scientist or professional's interpretive findings shall be included in each semiannual report on water quality referenced in this permit;
- j. If analytical results from samples collected from any sources associated with the landfill or surrounding properties exceed MCL, Action Level, or other health standard for the first time, the permittee must notify the Department in writing within 24 hours of receipt of the analytical data detecting this occurrence. Thereafter, if there are any significant increases above the MCL, Action Level, or other health standard, the permittee must notify the Department in writing within 24 hours of receipt of the analytical data detecting this occurrence;
- k. Upon detection of the exceedance of an MCL, Action Level or other health standard for the first time, the monitoring point(s) in which the standard was exceeded must be immediately resampled to verify the initial detection. This resampling must occur as soon as possible, and no later than 30 days following receipt of the analytical data by the permittee or the qualified groundwater scientist or professional who is reviewing the analytical data which indicated the exceedance. If the permittee accepts the initial sampling result as a valid result, then the permittee can elect to not resample the monitoring point(s);
- l. All data for each well must be summarized and presented in time series format. The data for each well must be presented in a spreadsheet so that the water quality data for each parameter for

each well can be observed simultaneously; and

- m. All “J” values must be reported. “J” values are analytical results that are below the PQL but can be estimated.

**TABLE I  
MONITORING PARAMETERS**

VOLATILE ORGANIC COMPOUNDS	PQL (ppb)	VOLATILE ORGANIC COMPOUNDS	PQL (ppb)
Acetone	5.0	Cis-1,2-Dichloroethene	1.0
Acrylonitrile	5.0	Trans-1,2-Dichloroethene	1.0
Benzene	1.0	Methylene Chloride	1.0
Bromochloromethane	1.0	1,2-Dichloropropane	1.0
Bromodichloromethane	1.0	Trans-1,3-Dichloropropene	1.0
Bromoform	1.0	Cis-1,3-Dichloropropene	1.0
Bromomethane	1.0	Ethylbenzene	1.0
2-Butanone	5.0	2-Hexanone	5.0
Carbon disulfide	1.0	Iodomethane	1.0
Carbon Tetrachloride	1.0	4-Methyl-2-pentanone	5.0
Chlorobenzene	1.0	Methyl Tertiary Butyl Ether	2.0
Chloroethane	1.0	Styrene	1.0
Chloroform	1.0	1,1,1,2-Tetrachloroethane	1.0
Chloromethane	1.0	1,1,2,2-Tetrachloroethane	1.0
Dibromochloromethane	1.0	Tetrachloroethene	1.0
1,2-Dibromo-3-chloropropane	0.04	Toluene	1.0
1,2 – Dibromoethane (EDB)	0.04	1,1,1-Trichloroethane	1.0
Dibromomethane	1.0	1,1,2-Trichloroethane	1.0
1,2 – Dichlorobenzene	1.0	Trichloroethene	1.0
1,4 – Dichlorobenzene	1.0	Trichlorofluoromethane	1.0
Trans-1,4-dichloro-2-butene	5.0	1,2,3-Trichloropropane	1.0
1,1-Dichloroethane	1.0	Vinyl Acetate	1.0
1,2-Dichloroethane	1.0	Vinyl Chloride	1.0
1,1-Dichloroethene	1.0	Xylene	1.0

**TABLE II  
MONITORING PARAMETERS**

ELEMENTS AND INDICATOR PARAMETERS	PQL (ppm)	ELEMENTS AND INDICATOR PARAMETERS	PQL (ppm)
Total Antimony	0.0020	Total Silver	0.0100
Total Arsenic	0.0020	Total Sodium	0.2
Total Barium	0.0100	Total Thallium	0.0020
Total Beryllium	0.0020	Total Vanadium	0.0100
Total Cadmium	0.0040	Total Zinc	0.0100
Total Chromium	0.0100	PH	0.1 (SU)
Total Calcium	0.08	Alkalinity	1
Total Cobalt	0.0100	Hardness	0.5
Total Copper	0.0100	Chloride	0.39
Total Iron	0.005	Specific Conductance	1
Total Lead	0.0020	Nitrate	0.06
Total Nickel	0.0110	Chemical Oxygen Demand	10
Total Magnesium	0.004	Turbidity	0.11 (NTU)
Total Manganese	0.0100	Ammonia	1
Total Mercury	0.0002	Sulfate	0.38
Total Potassium	0.39	Total Dissolved Solids	10
Total Selenium	0.035		

3. The semiannual report on water quality must include a time series analysis of the data. The historical data from each well should be presented in a tabular form in each semiannual report. The discussion should emphasize historical trends in the data. Also, the report must include statistical analysis methods in evaluating groundwater monitoring data as required under the federal regulation 40 CFR §258.53(g)-(i).
4. A copy of the most current topographic map generated by a survey performed as required in this permit shall be included in each semiannual report on water quality and shall depict the location of all monitoring wells and piezometers in existence at the time of the survey.
5. A copy of a current groundwater contour map depicting the location of all monitoring wells from which groundwater data is collected shall be included in each semiannual report on water quality. Multiple aquifers shall be depicted on separate groundwater contour maps.
6. The requirements of 40 CFR §258 subpart E concerning groundwater monitoring and remediation must be followed to the satisfaction of the Department.

**G. Spreading and Compaction:**

Solid waste shall be spread in uniform layers and compacted to its smallest practicable volume before application of cover material.

**H. Solid Waste Lifts:**

A lift of solid waste may not exceed 8 feet in height, except as specifically authorized in writing by the Department.

**I. Daily Cover:**

A uniform compacted layer of clean earth at least 6 inches in depth, or an approved cover material of a thickness specified by the Department, shall be placed over exposed solid waste by the end of each day's operation, or more frequently as may be determined by the Department. To meet approval, the cover material may not:

1. Contain free liquids, putrescibles, or toxic materials. Moisture that is present in the cover material solely as a result of precipitation is not free liquid;
2. Create a dust or odor problem;
3. Attract or harbor vectors; and
4. Impede compaction of wastes by standard landfill equipment.

**J. Intermediate Cover:**

A uniform, compacted layer of clean earth not less than 1 foot in depth shall be placed over each portion of a lift not later than 1 month following completion of that lift. The intermediate cover layer may not be removed without written authorization from the Department.

**K. Final Cover:**

1. A uniform compacted layer of earthen material not less than 2 feet in depth shall be placed over any part of the final lift of refuse not later than 90 days following completion of that final lift.
2. Areas which have received final cover shall be mowed at least once a year, or more often if necessary, to control growth of woody vegetation and to allow facility personnel to inspect for signs of erosion, settlement, ponding of water, and leachate seeps.

**L. Grading and Drainage:**

The disposal site shall be graded and drained to:



1. Minimize runoff onto the fill area of the sanitary landfill;
2. Prevent erosion and ponding within the fill areas; and
3. Drain water from the surface of the sanitary landfill.

**M. Erosion and Sediment Control Plan:**

The permittee shall have a signed copy of a valid Erosion and Sediment Control Plan prepared in accordance with the requirements of COMAR 26.17.01 and approved by the appropriate approving authority prior to the construction of the landfill as authorized by this permit. An approved plan as required under COMAR 26.17.01 that covers all areas of the permitted facility must be maintained at all times during the life of this permit.

**N. Storm Water Management Plan:**

1. The permittee shall have a signed copy of a valid Storm Water Management Plan prepared in accordance with the requirement of COMAR 26.17.02 and approved by the appropriate approving authority prior to the construction of the landfill as authorized by this permit.
2. Means for separating and diverting uncontaminated storm water from the landfill cells may be proposed by the permittee. If approved by the Department, the plans and specifications for the separation and diversion of uncontaminated storm water shall be incorporated into and become as part of this permit.

**O. Water Supply Contingency Plan:**

1. If a risk to public health due to contamination of the groundwater by the landfill has developed to the extent that provision for an alternative water supply for offsite water users may become necessary, the Department will require the permittee to draft a detailed engineering design plan describing the manner in which alternative water supplies will be provided to potentially affected areas around the landfill. This plan must be developed and submitted to the Department for review and approval. The draft plan shall be submitted to the Department for review within 1 year of notification by the Department. The plan shall be revised in accordance with any reasonable requirement of the Department. The level of detail of the plan shall be sufficient to serve as construction and implementation documents for the proposed water supply. The plan shall also include a schedule of all activities necessary to implement the plan, including activities to be performed by the permittee to bid, oversee, and implement the plan, and all activities by contractors.

2. The area which the plan must contemplate for water supplies must, at a minimum, include all areas within 1/2 mile of the property boundary of the landfill as depicted in the reports referenced in Part I of this permit, and any other groundwater use located downgradient of the landfill. The plan must also contain provisions for expansion of the area of impact should it become necessary to protect the public health. The plan may also contain provisions for partial or staggered implementation, based on specific information about the cause and extent of the triggering event, which is available at the time of implementation.
3. Upon approval by the Department, the water supply contingency plan shall become attached as a part of this permit, by reference.
4. Should the Department determine that migration of contaminants from the property on which the landfill is located has occurred or is likely to occur, the permittee shall immediately implement the water supply contingency plan in accordance with the approved schedule.

**P. Closure and Post-Closure:**

When the design capacity has been exhausted, the permittee shall cap the landfill in accordance with the requirements of COMAR 26.04.07.21 and the federal regulation under 40 CFR §258. Furthermore, at least 6 months prior to cessation of landfilling operations, a closure plan shall be submitted to the Department for review and approval. The plan shall contain the following elements:

1. A description of the methods to be used in closing out and capping the facility in an environmentally sound manner;
2. A description of the facility's post-closure activities including groundwater and gas monitoring and maintenance of the closed facility as specified in COMAR 26.04.07.22 and the federal regulation under 40 CFR §258;
3. A description of the future use of the facility upon closure; and
4. A deadline for the submission of a map based on an actual field survey, which depicts the final topography of the site upon closure.

**Q. Gas Monitoring:**

1. The permittee shall implement a gas monitoring program approved by the Department to comply with the lower explosive limit (LEL, 5 percent by volume in air) requirements for methane. To demonstrate compliance, the permittee shall sample air within facility structures where gas may

accumulate, and in soil at the property boundary. Monitoring methods may include sampling gases from probes within the landfill units or leachate collection system and by sampling gases from monitoring probes or from gas monitoring wells installed in soil between the landfill unit and either the property boundary or structures where gas migration may pose a danger. Monitoring for gas migration shall occur within the most permeable (unsaturated) strata.

2. The type and frequency of monitoring shall be determined based on the soil conditions, the hydrogeologic and hydraulic conditions surrounding the facility, and the location of facility structures and property boundaries. The quantity and location of gas probes, gas monitoring wells, sampling equipment, and the monitoring frequencies shall be approved by the Department. The minimum frequency of monitoring shall be quarterly. The reports of gas monitoring shall be submitted to the Department on a semiannual basis along with the other environmental monitoring reports specified in the facility's permit. A copy of the most current topographic map generated by a survey performed as required in this permit and depicting the location of all gas monitoring probes and wells shall be included in each semiannual report.
3. If methane concentrations exceed 25 percent of the LEL in facility structures, excluding gas control or recovery system components, or exceed the LEL at the property boundary, immediate action shall be taken by the permittee to protect human health from potentially explosive conditions (e.g. personnel evacuation and venting the building). The permittee shall notify the Department as soon as a methane concentration in excess of 25 percent of the LEL is detected in the facility structures, excluding gas control or recovery system components, or when it exceeds the LEL at the property boundary.
4. Within 60 days after detection of the exceedance, the permittee shall prepare and submit a remediation plan for the Department's approval.
5. The remediation plan must describe the frequency and lateral and vertical extent of methane migration. The plan must describe possible causes of the increase in gas concentrations such as landfill operational conditions, gas control system failure or upset, climatic conditions, or closure activity. The plan must describe remedial action to be taken based on the cause, extent, and nature of the methane migration. The remediation plan must also include a schedule for implementation of the remediation.
6. If approved by the Department, the remediation plan must be implemented immediately with any changes to the plan or schedule reasonably required by the Department.

**R. Location Restrictions and Design Demonstrations:**

If not previously submitted, the permittee shall demonstrate to the Department compliance with the Location Restrictions specified under federal regulation 40 CFR 258.10 through 258.16 regarding airport safety, floodplains, wetlands, fault areas, seismic impact zones, and unstable areas. If not previously submitted, the permittee shall also demonstrate to the Department compliance with the Design Criteria specified under federal regulation 40 CFR §258.40. A copy of the required demonstrations shall be placed in a public repository, at or near the landfill site, where interested parties have access to them for review.

**S. Wetlands and Wildlife Protection:**

1. Landfill construction and operation may not impact any regulated wetlands area until necessary authorization is received from the applicable State and federal wetland authorities. This includes construction of access roads, landfill cells, or other land disturbance, and pertains to wetlands regulated by the State of Maryland and/or the U.S. Army Corps of Engineers.
2. Landfill construction and facility operations, which may impact upon State or federally regulated endangered species, may not begin unless all necessary permits or authorizations are obtained from the applicable State or federal wildlife regulatory agencies.

**Part IV: Standard Conditions (Applicable to All Solid Waste Acceptance Facilities):**

**A. Supervision:**

This facility shall be under the supervision of a responsible individual present at the disposal site at all times during the operation.

**B. Right of Entry:**

The permittee shall allow the Department's authorized representatives, at reasonable times and upon presentation of credentials:

1. To enter this facility covered under this permit or where any records are required to be kept under the terms and conditions of this permit.
2. To have access to and copy any records required to be kept under the terms and conditions of this permit.
3. To inspect any equipment or process required in this permit.
4. To inspect any collection, treatment, pollution management or control facilities, or transport vehicles, required by this permit.
5. To sample any waste, groundwater, surface water, soil or vegetation on the site.
6. To obtain photographic documentation or evidence.

**C. Controlled Access:**

Access to this facility shall be controlled at all times. Gates, fencing, and other ingress/egress controls around the perimeter of this facility shall be adequate to control access when this facility is not in operation. All gates shall be locked when this facility is unattended. Access shall be limited to those times when authorized personnel are on duty at this facility.

**D. Overall Operation:**

The permittee shall take all measures necessary to control pollution, health hazards or nuisances. This facility shall be operated and maintained in such a manner as to prevent air, land, or water pollution, public health hazards or nuisances.

**E. As-Built Plans:**

The permittee shall submit to the Department 2 hard copies and 1 electronic copy of certified as-built plans no later than 90 days after completion of the work under this permit.

**F. Inspection of Incoming Waste:**

1. The permittee shall inspect all incoming loads of solid waste material to insure that no unacceptable waste types, as herein defined in Part III of this permit, are included in the load. The permittee may conduct this inspection by observing wastes as they are deposited, transferred or processed.
2. If an unacceptable solid waste is identified during the tipping and/or inspection process, the permittee shall reject the unacceptable solid waste and advise the generator or hauler of the reason for rejection.
3. If the source of an unacceptable solid waste is unknown, the permittee shall dispose off-site all discovered unacceptable solid waste in a manner consistent with all applicable laws and/or regulations.
4. The permittee shall immediately (within 2 hours) report to the Department at (410) 537-3315 or (866) 633-4686 after working hours all incidents of discovery of any unacceptable hazardous waste materials in a load of waste. The permittee shall then submit to the Department a written report within 5 working days following the discovery. When the source of waste is known, the written report shall include the source of the waste, the transporter of the waste, the circumstances of discovery, a description of efforts to secure and control the waste and any release of pollutants from the waste, the current location and if known, the final disposition of the waste. If the source of waste is unknown, the written report shall include the circumstances of discovery, a description of efforts to secure and control the waste and any release of pollutants from the waste, and the current location and final disposition of the waste. If the source of unacceptable hazardous waste is known, the permittee shall reject the waste material and advise the generator or hauler of the reason of rejection. If the source of unacceptable hazardous waste is unknown, the permittee shall separate and handle the waste material in accordance with the applicable requirements of COMAR 26.13.02 "Disposal of Controlled Hazardous Substances".

**G. Personnel, Equipment and Maintenance:**

The permittee shall provide adequate personnel and equipment to insure proper construction and operation of this facility. Provisions shall be made for equipment repair or replacement as required. Substitute equipment shall be obtained when breakdown or maintenance renders essential operating equipment inoperative for a period in excess of 24 hours during days of operation.

**H. Roads:**

1. The permittee shall provide all-weather access roads to the disposal site or receiving area, and to all required pollution control and monitoring systems and devices.
2. Roads shall be maintained in a serviceable manner to allow passage by a waste hauling, emergency, or inspection vehicle, and to prevent the tracking of soil, ash, or waste onto any public road and/or to cause a public nuisance. If necessary, vehicles shall be cleaned prior to leaving this facility. Additional actions or facilities may be required at the discretion of the Department in order to control sediment tracking.

**I. Dust and Noise Control:**

1. Dust shall be controlled through the application of water to roads, operational procedures designed to limit disturbance of bare soils, and other practices approved by the Department. No chemical, oil or petroleum product shall be used for the control of dust without prior written approval from the Department.
2. Operations of the facility shall be conducted in a manner that conforms to the applicable noise provisions of COMAR 26.02.03. This permit does not authorize the violation of any local noise control laws or ordinances which may be enforced by the local government.

**J. Litter Control:**

1. Scattering of wastes by wind or other means shall be controlled by fencing or other barriers that are engineered and maintained in a manner that prevents litter from leaving the permitted facility.
2. The entire site shall be policed daily or more often, as needed, to prevent nuisance conditions. Litter that has scattered beyond the disposal site or receiving area, entered drainage features or surface water features, or has accumulated along litter fencing or other barriers, shall be picked up daily and placed in the disposal site or receiving area.

**K. Liquids Management:**

1. Under no circumstances may any collected contaminated liquids be discharged by any means, except to the sanitary sewerage system or any permitted treatment facility, without written authorization from the Department. Any discharge to a sanitary sewerage system shall comply with the applicable provisions of the state's pretreatment program, as described in COMAR 26.08.08.

2. Storm water management at this facility shall be in accordance with the requirements of COMAR 26.17.02. Any point source discharge of pollutants to waters of the state is prohibited unless permitted by the Department. Any pollutants from the handling, transfer, or storage of wastes, including accidental spills and rainfall events, shall be collected or disposed of in a manner approved by the Department.

**L. Fuel Storage:**

Fueling of equipment and vehicles shall be conducted with care to avoid spilling or overfilling. The storage tanks and fuel distribution facilities shall be installed and maintained in accordance with the applicable requirements of COMAR 26.10.01 through COMAR 26.10.11 inclusive, and with the requirements of local fire prevention agencies. Any spilled fuel shall be cleaned up immediately. Disposal of spilled fuel may only take place at an incinerator, municipal landfill or oil handling facility permitted to accept this material.

**M. Fire Control:**

1. Solid waste may not be burned at this facility except as permitted by the Department.
2. The permittee shall take suitable measures to control and prevent fires that may occur during the operation of this facility.

**N. Removed Pollutant Substances:**

Unless previous written approval for disposal has been given by the Department, wastes such as solids, sludge, or other materials removed from or resulting from the treatment or control of waste waters or facility operations, shall be disposed of at a facility approved to accept such materials, and in a manner to prevent any removed substances or runoff from such substances from entering or from being placed in a location where they may enter the waters of the state.

**O. Pollution Monitoring and Control Device Requirements:**

1. All pollution control and ground and surface water monitoring systems (including storm water management and sediment control systems) shall be installed in accordance with the manufacturer's recommendations and plans and specifications approved by the Department. All pollution control and ground and surface water monitoring systems shall remain operational and shall be maintained in accordance with the provisions of the approved plans and specifications.



2. Any incidence of damage to this facility's monitoring or pollution control systems shall be reported to the Department at (410) 537-3315 within 2 hours of the incident, or within 2 hours of the discovery of the damage if the damage occurred outside of working hours. All repairs needed to correct the damage shall be completed as soon as practical or as specified by the Department.
3. During construction and operation of this facility, the sediment and storm water basins shall be cleaned out whenever (a) a clean-out elevation is reached; (b) construction is completed; (c) the amount of sediment reaches 50% capacity, and/or (d) as specified by the approved Sediment and Erosion Control Plan.

**P. Penalties for Tampering:**

Section 9-343 of the Environment Article, Annotated Code of Maryland, provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by fines, or by imprisonment, or by both.

**Q. Records Retention:**

1. All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed, calibration and maintenance of instrumentation, original recordings from continuous monitoring instrumentation, and inspection results shall be retained by the permittee on-site or at another location upon written approval of the Department, for a minimum period of 5 years.
2. All documents listed in Part I: A. Operating Documents of this permit shall be retained by the permittee on-site for the life of the permit. Historical documents listed in Part I may be retained at an off-site location.

**R. Annual Report:**

An annual report shall be submitted to the Department concerning the operation and status of this facility for each calendar year that this facility is in operation. The annual report shall be for the calendar year ending December 31 and shall be submitted by March 1 of the following year on the form provided by the Department.

**S. Duty to Provide Information:**

The permittee shall furnish to the Department within a reasonable time, any information that the Department may request, to determine whether cause exists for modifying, revoking, reissuing, or terminating this permit, or to determine compliance with this permit.

**T. Alterations:**

Any modification to this facility or its operating plans must be approved in writing by the Department prior to implementation. Modifications include, but are not limited to, any changes that alter a significant structural feature, operational procedure, element of design, type of equipment or method of construction described in the approved plans and specifications for this facility and defined herein.

**U. Operation and Maintenance Manual:**

The permittee shall review the Operation and Maintenance Manual (O&M) for this facility prior to permit renewal. If a change has occurred to the operation or maintenance of the facility, the permittee shall submit to the Department an addendum to the O&M to reflect the change.

**V. Application for Renewal:**

1. At least 2 weeks before the expiration date of this permit, unless permission for a later date has been granted by the Department, the permittee shall submit a new application for renewal of the authorization to continue to operate under the provision of this permit or notify the Department of the intent to cease operating by the expiration date. In the case of landfill systems, the application shall be submitted in accordance with Section 9-213 of the Environment Article, Annotated Code of Maryland. In the event that a timely and sufficient reapplication has been submitted and the Department is unable, through no fault of the permittee, to renew this permit before its expiration date, the terms and conditions of this permit are automatically continued and remain fully effective and enforceable.
2. The Department may refuse to renew this permit if the permittee violates the terms or conditions of this permit or state law and regulations, in accordance with Section 9-214 of the Environment Article, Annotated Code of Maryland.

**W. Closure:**

1. When operations end, the permittee shall close this facility in a manner that prevents erosion, health and safety hazards, nuisances, and pollution.
2. All remaining solid wastes, not properly disposed of, shall be transferred to a permitted facility for proper disposal.
3. If applicable, the surety bond for this facility as specified in Sections 9-211 or 9-211.1 of the Environment Article, Annotated Code of Maryland or other financial assurance required by State, federal, or local regulations, shall be utilized to the extent necessary to remediate the

facility if the permittee does not close this facility in a proper manner, and the Department:

- a. Notifies the permittee and corporate surety on the bond that the facility is not properly closed;
- b. Specifies in the notice, the deficiencies that must be addressed;
- c. Gives the permittee and the corporate surety a reasonable opportunity to correct the deficiencies and close the facility in accordance with the regulations of the Department; and
- d. Authorizes the local governing body or other agency to use the surety bond to close the facility in accordance with the regulations of the Department.

**X. Transfer of Permit or Ownership:**

1. This permit is valid only for the permittee named and may not be transferred to another entity without first obtaining a new Refuse Disposal Permit from the Department for the new entity.
2. In the event of any change in control or ownership of the property, the permittee shall notify the succeeding owner by certified mail, of the existence of this permit and of any outstanding permit noncompliance, a minimum of 30 days prior to transfer. A copy of this notification shall also be forwarded to the Department at the same time.

**Y. Compliance:**

1. The permittee shall comply with the terms and conditions of this permit, and with all applicable federal, local and State laws and regulations.
2. If for any reason the permittee does not comply or is unable to comply with any of the terms and conditions of this permit, the permittee shall notify the Department at (410) 537-3315 on the same day or on the next working day, following any noncompliance. Within 5 working days after this notification, the permittee shall provide the Department with the following information in writing:
  - a. Descriptions of the noncompliance, including dates, time, and type of noncompliance;
  - b. Cause of noncompliance;
  - c. Anticipated time the noncompliance is expected to continue or if such condition has been corrected;

- d. Steps taken by the permittee to correct the noncompliance; and
- e. Steps to be taken by the permittee to prevent recurrence of the noncompliance.

**Z. Local Solid Waste Management Plan/Zoning and Land Use Requirements:**

- 1. Nothing in this permit authorizes the construction or the operation of this facility when it is not in conformance with the local solid waste management plan, or zoning or land use requirements. The issuance of this permit does not prevent any duly authorized local authority from taking action to enforce applicable zoning, planning and land use requirements, or provisions of the local solid waste management plan.
- 2. This permit may be suspended or revoked upon a final, unreviewable determination that the permittee lacks, or is in violation of, any federal, State or local approval necessary to conduct the activity authorized by this permit.

**AA. Civil and Criminal Liability:**

Nothing in this permit shall be construed to neither preclude the institution of any legal action nor relieve the permittee from civil or criminal responsibilities and/or penalties for non-compliance with Title 9 of the Environment Article, Annotated Code of Maryland, or any federal, local or other State laws or regulations.

**BB. Penalties for Violations of Permit Conditions:**

Section 9-268 of the Environment Article, Annotated Code of Maryland, provides that, except for violations of Part III of that subtitle and violations enforced under Section 9-267 of that subtitle, the provisions of Sections 9-334 through 9-342 of Subtitle 3 of that title shall be used and shall apply to enforce violations of:

- 1. That subtitle;
- 2. Any regulation adopted under that subtitle; or
- 3. Any permit issued under that subtitle.

**CC. Property Rights:**

The issuance of this permit does not intend to convey any property rights in either real or personal property, or any exclusive privilege or franchise, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State or local laws or regulations.

**DD. Severability:**

If any provision of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect, and such invalid provision shall be considered severed and deleted from this permit.

**EE. Signatory Requirements:**

All applications, request for alterations, renewal requests, or monitoring reports submitted to the Department shall be signed and verified in accordance with Section 1-201 of the Environment Article, Annotated Code of Maryland, by the permittee or authorized representative of this facility as being true.