



# Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

August 11, 2017

Mike Dimick  
POB 273  
Shoshoni, Wyoming 82649

RE: Final Review of Low-Hazard/Low-Volume Permit Application  
Hopper Disposal Transfer Station, SHWD File # 51.125

Dear Mr. Dimick,

The Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division (Department) has completed its review of the most recently submitted new permit application for the facility described above. This new permit application was initially received by the Department on March 3, 2017, with revisions and additions received on June 17, 2017. The Department's review has concluded that this application is complete and suitable for publication. The following tasks will need to be completed before the final new permit can be issued by the Department:

1. You must submit a new updated permit application form. The initially form incorrectly identified the facility size as 20 acres and not 7 acres as clarified via email on March 13, 2017.
2. You must provide documentation that you have complied with the following public notice and comment requirements of SWRR Chapter 1, Section 2(j)(iii). Documentation shall consist of copies of certified return receipt cards, publisher's affidavits, or affidavits of personal delivery, as appropriate. Please forward this documentation to the Department as soon as all of the following tasks are completed.
3. Within fifteen (15) days of receiving a proposed permit:
  - You must provide written notice to adjacent landowners by first class mail.
  - You must cause a written notice to be published once a week for two (2) consecutive weeks in a newspaper of general circulation within the county. The public notice is enclosed. *Please be advised that you are responsible for entering the dates for the beginning and the end of the public comment period. You must submit an electronic copy of the notice, with publication dates, to the Department staff below prior to publication so the legal notice can be posted to the Department's website and emailed through the Department's Listserv.*

Lander Field Office • 510 Meadowview Drive • Lander, WY 82520 • <http://deq.state.wy.us>

ABANDONED MINES  
(307) 332-5085  
FAX 332-7726

AIR QUALITY  
(307) 332-6755  
FAX 332-7726

LAND QUALITY  
(307) 332-3047  
FAX 332-7726

SOLID & HAZARDOUS WASTE  
(307) 332-6924  
FAX 332-7726

WATER QUALITY  
(307) 332-3144  
FAX 332-7726



DEQ Exhibit 3

DEQ RFP 1 - 016

DEQ Exhibit 3-001

- You must keep a copy of the final permit application, the Department's final review comments, and the proposed permit available for public review at the Riverton City Hall, located at 816 N. Federal Blvd., Riverton Wyoming 82501, for the duration of the public comment period.

The enclosed legal notice should be used to comply with the public notice and comment requirements described above. The public comment period shall begin on the first date of publication of the notice and shall end at 5:00 PM on the thirtieth (30<sup>th</sup>) day following the last date of publication of the notice.

In the event that substantial written objections to the *PROPOSED* permit are received during the public notice and comment period, the Director will schedule a contested case hearing before the Environmental Quality Council, as provided by Chapter 1, Section 2(j)(vi) of the Solid Waste Rules and Regulations.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at 307.335.6950.

Sincerely,



Patrick Troxel  
District #2 Supervisor

Encl.: Chapter 6 Permit Application Review (File #51.125)  
Chapter 6 Operating Permit (File # 51.125/*PROPOSED*)  
Legal Notice (File #51.125)

Cc: Bob Doctor, SHWD Program Manager, Casper Office  
Charlie Plymale, I&C Program  
Lander SHWD File #51.125 (w/ encl.)  
Cheyenne SHWD File #51.125 (w/ encl.)

Wyoming Department of Environmental Quality  
Solid & Hazardous Waste Division

**SOLID WASTE PERMIT APPLICATION REVIEW FORM**  
(Version 4/9/14)

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Facility Name : Hopper Disposal LHLV  
SHWD Facility File # : 51.125  
Type of Application : Low-Hazard/Low-Volume Transfer/Treatment/Storage Facility - NEW  
SHWD Reviewer : Patrick Troxel, District #2 Supervisor  
Application Date : March 3, 2017  
Application Received : March 3, 2017 and June 17, 2017  
Review Completed : July 20, 2017

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**APPLICATION SUMMARY**

Hopper Disposal has proposed a new low-volume/low-hazard municipal solid waste (MSW) transfer station to be located at 450 N. Smith Rd, Riverton Wyoming. The facility is located on approximately 7 acres in Fremont County, Wyoming. Waste types accepted for storage and transfer include MSW, construction demolition waste (C/D), electronic waste, CRT's, Scrap tires, Green Waste, Lead Acid batteries, Used oil, used antifreeze and source-separated recyclables as defined in Chapter 1, section 1(b) of the Solid Waste Rules and Regulations.

**REVIEW COMMENTS**

The applicable permit application requirements are outlined below. Each requirement is followed by a summary of the application standard, a description of the type of information required, and the applicable technical standards which must be met. The reader is referred to the rules and regulations for a full description of each standard.

All sections of the application must be determined to be complete before the application may be deemed complete. Likewise, all sections of the application describing the design, construction and operation, monitoring, and closure of the facility and the financial assurance mechanism must be determined to be technically adequate before a draft permit can be issued. The reviewer may propose permit conditions in order to insure that a particular section of the application is technically adequate. The following terms are used to describe the reviewer's comments regarding completeness and technical adequacy determinations:

- "Complete" This term indicates that the application contains a comprehensive and accurate discussion of the particular subject. All required information is provided.
- "Incomplete" This term indicates that the application *does not contain* a comprehensive and accurate discussion of the particular subject. Additional information is required.
- "Adequate" This term indicates that the information provided demonstrates that the facility will be able

to comply with the applicable technical standard(s).

- "Inadequate" This term indicates that the information provided *fails to demonstrate* that the facility will be able to comply with the applicable technical standard(s). Additional or revised information is required.
- "N/A" This term indicates that the particular section or standard is *Not Applicable*. When this determination is made, a comment is provided to justify this determination.
- "N/E" This term indicates that the particular section or standard was *Not Evaluated* because it was previously approved and there is no obvious reason (e.g., modification, change in circumstances) to warrant a new review.

Specific comments may also be provided to summarize the information provided in the application or to explain why a particular section has been determined to be complete, incomplete, adequate, inadequate or not applicable. Where appropriate, suggestions are provided for addressing deficiencies or improving the application.

## 1.0 GENERAL INFORMATION

1.1 Application Form	Section 2.c.i
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- Must use double-sided form provided by the department (see Solid Waste Guideline #3)
- Must be signed and dated by landowner (if not the same as applicant)
- Must be signed and dated by applicant (ranking elected official, 2 principal officers, or proprietor/general partner)
- Applicant signature(s) must be notarized

**Comments...** Complete and Technically Adequate

## 7.0 EXHIBITS

7.1 USGS Topographic Map	Section 2.c.iv
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- USGS map must be an original (scale of 1:24,000)
- If facility is located within a city or town, a map of the city or town may be used in lieu of the original USGS map
- Must ID facility location

**Comments...** Complete and Technically Adequate

**8.0 FINANCIAL ASSURANCE**

- Applicability: See SWRR Chapter 7, Section 7.b

<b>8.1 Cost Estimates</b>	Section 2.c.viii
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- Must contain estimates for a 3rd party to complete each closure task (see SWRR Chapter 7, Section 3 for coverage requirements)
- May use published data (e.g., Means Cost Data) if properly referenced
- May use local contractor bids if they are signed, dated, valid for a minimum of one (1) year and identify the SHWD as a potential client (copies must be provided)
- Must include 15% contingency fee
- See Wyoming Solid Waste Rules and Regulations Chapter 7, Section 1(b)(i)(F)- Solid waste management facilities other than those regulated under Chapter 2, which are owned or operated by a municipality are exempt from the requirement to demonstrate financial assurance

**Comments...** Complete and Technically Adequate

<b>8.2 Mechanism</b>	Section 2.c.viii
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- Allowable mechanisms include self-bonds, surety bonds, federally-insured certificates of deposit, government-backed securities, cash, or letters of credit (see SWRR Chapter 7, Section 4 for detailed information regarding specific forms of financial assurance)
- Mechanism must be reviewed and approved by SHWD bonding analyst and senior assistant attorney general.

**Comments...** Complete and Technically Adequate - Financial Assurance Bond Acceptance Approval issued on June 29, 2017

**REVIEW CONCLUSIONS**

- ☞ Is the application "Complete"? YES
- ☞ Is the application "Technically Adequate"? YES
- ☞ Is the application subject to Public Notice and Comment Requirements? YES
- ☞ This facility is not subject to inspection(s) before the permit can be issued.

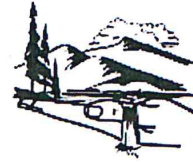
**END OF PERMIT APPLICATION REVIEW**

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# Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

Todd Parfitt, Director

July 17, 2017

CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED

Mike Dimick  
POB 273  
Shoshoni, Wyoming 82649

RE: Solid Waste Chapter 6 Operating Permit (Low-Hazard/Low-Volume Facility)  
Hopper Disposal Transfer Station, SHWD File #51.125

Dear Mr Dimick:

This letter constitutes a Wyoming Department of Environmental Quality, Solid Waste Chapter 6 Operating Permit (Low-Hazard/Low-Volume Facility) for the Hopper Disposal Transfer Station (SHWD File # 51.125).

On July 20, 2017, the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division (Department) completed its final review of the most recent permit application, dated March 3, 2017, and received by the Department on March 3, 2017 and June 19, 2017. The Department has determined this application is generally complete and suitable for publication.

The Department has also received the necessary information to document that the public notice requirements of Chapter 1, Section 2(j) of the Solid Waste Rules and Regulations were properly completed. No comments were received by the Department during the designated public comment period.

The operator of the facility authorized by this new permit shall be responsible for complying with the terms of the permit application specified above and this permit. Based on the Department's permit application review and/or the Department's inspection of this facility, the Department has concluded that this permit shall be issued under the following conditions:

Herschler Building · 122 West 25th Street · Cheyenne, WY 82002 · <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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*Permit Condition #1*

*The operator shall locate this facility in compliance with the minimum standards of Chapter 6, Section 3(b) of the Solid Waste Rules and Regulations (copy enclosed). The operator may request written guidance regarding how to comply with any specific standard.*

*Permit Condition #2*

*The operator shall design and construct this facility in compliance with the minimum standards of Chapter 6, Section 4(b) of the Solid Waste Rules and Regulations (copy enclosed). The operator may request written guidance regarding how to comply with any specific standard.*

*Permit Condition #3*

*The operator shall operate this facility in compliance with the minimum standards of Chapter 6, Section 5(b) of the Solid Waste Rules and Regulations (copy enclosed). The operator may request written guidance regarding how to comply with any specific standard.*

*Permit Condition #4*

*The operator shall close this facility in compliance with the minimum standards of Chapter 6, Section 7(b) of the Solid Waste Rules and Regulations (copy enclosed). The operator may request written guidance regarding how to comply with any specific standard.*

Additionally, the following permit condition is issued to address the limitations of a low-hazard/low-volume solid waste transfer facility.

*Permit condition #5*

*This facility shall manage no more than the specified types and quantities of the following wastes:*

- The facility shall receive 50 cubic yards or less of solid waste per day (based upon an average annual daily tonnage) and occupy no more than ten (10) acres, including a twenty (20) foot buffer zone within a fenced facility boundary; and*
- Paper, cardboard, plastic, aluminum cans, glass, and metal, or other nonputrescible municipal solid wastes which may be specifically authorized by the administrator, for the primary purposes of transfer to a recycling facility or beneficial reuse in a manner approved by the administrator. This provision applies to the sorting, shredding, grinding, crushing, baling, and storage of these wastes prior to transfer to a recycling facility or approved beneficial reuse site; and*
- 5,000 gallons of used oil or used oil generated by do-it-yourself used oil generators, if the used oil is stored to be recycled, reclaimed, or reused; and*

- 5,000 gallons of used antifreeze, if the used antifreeze is stored to be recycled, reclaimed, or reused; and
- 1,000 scrap tires stored in compliance with standards in Chapter 8 of these rules and regulations, if the scrap tires are stored to be recycled, reclaimed, reused, or are destined for disposal at a permitted facility; and
- Green waste and clean wood waste storage piles; and
- Compost piles for green waste and manure operated in a manner that does not create odors, constitute a nuisance, or attract vectors; and
- 15,000 empty used drums; and
- Household hazardous waste (HHW) collected no more frequently than quarterly collection days, provided that the HHW collected is removed from the site and transported to a permitted facility within thirty (30) days of receipt; and
- 50 cubic yards of electronic waste, other than CRTs, stored in containers; and
- 50 cubic yards of CRTs stored intact in containers and kept whole without any shredding, grinding, crushing or baling. Devices containing CRT, such as televisions and computer monitors, may be disassembled, but the CRTs shall remain intact. If inadvertently broken, CRTs must be promptly containerized for proper management; and
- 500 lead acid batteries, if the batteries are stored in an upright position and are not leaking, for the purpose of transfer to a recycling facility; and
- 100 cubic yards of construction and demolition waste stored in containers; and
- 150 cubic yards of mixed solid wastes stored in containers. Animal mortality managed at low hazard and low volume solid waste transfer, treatment, storage, and processing facilities shall be managed in mixed municipal solid waste or separate containers.

*Permit Condition # 6*

*The on-site septic system shall not be used to receive wash down water from the facility floor or from the wash down of any equipment. The septic system must be properly permitted by Wyoming's DEQ Water Quality Division.*

The operator of the facility authorized by this permit shall allow the administrator or an authorized representative, upon the presentation of credentials and other documents as may be required by law to enter upon the operator's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate rules and regulations of the Department, any substances or parameters at any location.



This permit is valid for eight (8) years from the date of this letter. In order to renew this permit, a renewal permit application shall be submitted between nine (9) and six (6) months prior to the expiration of this permit. Prior to the preparation of a renewal permit application, the Department strongly recommends a face-to-face pre-application meeting with the operator, manager, consultant and the Department.

The conditions imposed by this permit shall take precedence over conflicting designs, specifications or procedures contained in the referenced permit application document. Failure to comply with this permit or the condition(s) which have been imposed may be grounds for permit revocation under the provisions of Chapter 1, Section 4(b) of the Wyoming Solid Waste Rules and Regulations.

If you are unable to accept any of the conditions in this permit, pursuant to the General Rules of Practice and Procedure, you must appeal this permit by sending a letter stating your objections to the Environmental Quality Council, Herschler Building, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002, within sixty (60) days of your receipt of this permit.

If you have any questions regarding this permit, please feel free to contact Patrick Troxel at 307.335.6950 or [Patrick.troxel@wyo.gov](mailto:Patrick.troxel@wyo.gov).

Sincerely,

Luke Esch  
Administrator  
Solid & Hazardous Waste Division

Todd Parfitt  
Director  
Wyoming Dept. of Environmental Quality

Encl.: Solid Waste Rules and Regulations Chapter 6, Sections 3(b), 4(b), 5(b), and 7(b) (Excerpt, October 15, 1998)

Cc: Bob Doctor, SHWD Program Manager, Casper Office (w/o encl.)  
Patrick Troxel <sup>☞</sup> Lander SHWD File #51.125 (w/o encl.)  
Charlie Plymale, I&C Program, Lander Office (w/o encl.)  
Cheyenne SHWD File #51.125 (w/o encl.)

## PUBLIC NOTICE

In accordance with the provisions of the Wyoming Environmental Quality Act and Chapter 1, Section 2(j) of the Solid Waste Rules and Regulations, Mike Dimick has submitted a low hazard and low volume permit application for the Hopper Disposal facility.

The proposed facility is located at 450 N. Smith Rd., Riverton Wyoming. More specifically, this facility is located in Township 01 N, Range 004E, Section 25N/2SWSW, Fremont County, Wyoming. The proposed facility will provide for the transfer / treatment / storage of municipal solid waste (MSW), construction demolition waste (CD), electronic waste, scrap tires, green waste/clean wood, lead acid batteries, used oil and used antifreeze which have been generated within the State of Wyoming. The total volumetric capacity of this facility is 150 cubic yards of MSW, 100 cubic yards CD, 50 cubic yards electronic waste, 50 cubic yards CRT's, 1000 scrap tires, 10,000 square feet of green waste/clean wood, 500 lead acid batteries, 5000 gallons used oil and 5,000 gallons used antifreeze. The life of the facility is estimated to be indefinite.

The Department of Environmental Quality, Solid and Hazardous Waste Division (DEQ) has determined that the permit application is generally complete and technically adequate. DEQ's solid waste rules, in Chapter 1, Section 2 (j)(iii)(A), require that the applicant must provide public notice that a proposed permit has been issued, and inform the public that there is an opportunity to comment on the draft permit before it is issued in final form. The notice is also required to indicate that the public may file formal written objections to issuance of a final permit. This publication provides notice of those opportunities.

Copies of the permit application, the DEQ's review of the application, and the proposed permit can be viewed at DEQ's Lander office (510 Meadowview Dr, Lander, WY 82520).

Any interested person has the right to either: provide comments on the proposed permit, which DEQ will consider prior to taking final action on the permit application, or file formal written objections to the proposed permit. The period for providing comments, or filing formal written objections to the proposed permit, shall begin on **<First Date of Publication>** and end on **<30 Days Following the Second Date of Publication>**. Any comments or formal written objections must be received by 5:00 PM on the last day of the notice period. Comments or formal objections must be submitted in writing to the Department of Environmental Quality, Todd Parfitt, Director, 200 West 17th Street, Cheyenne, WY 82002. Formal written objections must be accompanied by a statement of the facts upon which the objection is based. If substantial written objections are filed, a contested case hearing will be held by the Environmental Quality Council.

In accordance with the Americans with Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities.

**NOTE TO PUBLISHER: This legal notice is provided to you as a requirement of the Wyoming DEQ/SHWD rules and regulations and must be published once per week for two (2) consecutive weeks. This legal notice should not be published unless specifically requested by the applicant identified above. If published, the applicant is solely responsible for all costs which are incurred.**