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WA State Department
of Ecology (SWRO)

April 10, 2018

Lewis Griffith, Manager
City of Tacoma Solid Waste Management Division
3510 South Mullen Street
Tacoma, WA 98409

RE: The City of Tacoma Landfill Site
2018-19 Solid Waste Permit Renewal, #27-051

Dear Mr. Griffith:

This letter serves to renew the Solid Waste Permit for the City of Tacoma Landfill Site. The Tacoma-Pierce County Health Department (Health Department) is renewing this solid waste permit under the authority of RCW 70.95 and in accordance with WAC 173-351, adopted as Environmental Health Code Chapter 11 of the Tacoma-Pierce County Board of Health Regulations, Resolution #2014-4410; WAC 173-350, adopted as Environmental Health Code Chapter 12 of the Tacoma-Pierce County Board of Health Regulations, Resolution 2014-4411; and WAC 173-304 as applicable.

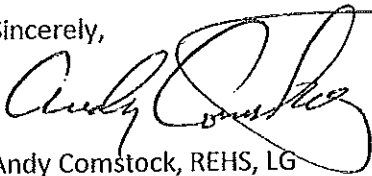
This solid waste permit is considered an "umbrella permit" and encompasses the multiple solid waste handling facilities at the site: The City of Tacoma Municipal Solid Waste Closed Landfill, the Moderate Risk Waste Facility, and three Intermediate Solid Waste Handling Facilities. The next annual permit renewal date for all solid waste handling facilities at this site is **March 24, 2019**.

In 2017-18, the Health Department did not render a decision to renew the solid waste permit as the applicability of the Health Department's authority to issue a Post Closure Care Permit to the Closed Landfill—which is under a Consent Decree with the City of Tacoma, Environmental Protection Agency, and Washington Department of Ecology—was under evaluation. After evaluation, the City's Solid Waste Management Division and the Health Department agreed to develop and establish a Memorandum of Agreement (MOA) to encompass the Post Closure Care Activities of the Closed Landfill in the solid waste permit. The MOA was finalized on March 2, 2018 and is included as Appendix B of this umbrella permit renewal.

The Washington Department of Ecology (Ecology) has the regulatory authority to appeal, within 30 days, this permit reissuance. If you receive no notice of appeal from Ecology or the Health Department, you may assume Ecology has concurred.

If you have any questions, please contact David Bosch, Environmental Health Specialist III, at (253)798-6574 or at dbosch@tpchd.org.

Sincerely,



Andy Comstock, REHS, LG
Assistant Division Director

AC:DB:sr

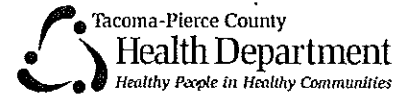
Enclosures

cc: Jeremy Jennings, EPA – OEC
Mohsen Kourehdar, Ecology – TCP
Peter Lyon, Ecology – SWRO (Certified Mail)
Steve Wamback, Pierce County Planning and Public Works, Sustainable Resources Division

Solid Waste Permit

City of Tacoma Landfill Site

Permit No. 27-051



Environmental Health Division | Waste Management
3629 South D Street MS 1045 | Tacoma WA 98418-6813

This solid waste permit is issued by the Tacoma-Pierce County Health Department in accordance with RCW 70.95, WAC 173-351, WAC 173-350, and WAC 173-304.

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Section I: Description and Facility Contacts

For the City of Tacoma Landfill Site

The City of Tacoma Solid Waste Management Division (Solid Waste Management, SWM), the permittee, is allowed to operate and maintain a variety of solid waste handling facilities at the City of Tacoma Landfill Site. The site is located at 3510 South Mullen Street, Tacoma, Washington and is in the western half of Section 13, Township 20 North, Range 2E of the Willamette Meridian. The site consists of approximately 190 acres. This permit encompasses the following solid waste activities at this site: the Recovery and Transfer Center, the South Compactor Building, the Moderate Risk Waste Facility, the Public Receiving Transfer Stations, and the Municipal Solid Waste Landfill in Post Closure Care. The City also operates three solid waste permit exempt facilities at the Tacoma Landfill Site: the Public Recycling Facility, the White Goods Recycling Facility, and the Expanded Polystyrene Recycling Facility.

Owner/Operator: Lewis Griffith, Solid Waste Management Division Manager, City of Tacoma
Department of Public Works, Solid Waste Management

Address: 3510 South Mullen Street, Tacoma, Washington 98409

Telephone: (253) 591-5544 or (253) 591-5543; Fax (253) 591-5547

Facility Contacts:

Lewis Griffith	Division Manager	(253) 593-7713
Andy Torres	Assistant Division Manager (Collections)	(253) 593-7728
Shane Pettit	Assistant Division Manager (Operations)	(253) 593-7743
Jeff Geforos	Resource Recovery Supervisor	(253) 592-0520
Jim Nunn	Resource Recovery Supervisor	(253) 573-2419
Mark Tveit,	Resource Recovery Supervisor	(253) 593-7708
Josh Knouff	Resource Recovery Supervisor	(253) 593-7739
Joe Breer	Collections Supervisor (Residential)	(253) 594-7816
Lyle Hauenstein	Collections Supervisor (Commercial)	(253) 594-7843
Phet Sinthavong,	Environmental Health Specialist (Permit Compliance)	(253) 594-7876

Tax Parcels: 0220123003; 0220123006; 0220123022; 0220123033; 0220123041; 0220123043; 0220123044;
0220123045; 0220123046; 0220132018; 0220132022; 0220132025; 0220132040; 0220132042;
0220132043; 0220132044; 0220132052; 0220132055; 0220132073; 0220132074; 0220132075;
0220132076; 0220132077; 0220132078; 0220132079; 0220132081; 0220133000; 0220133010;
0220133014; 0220133046; 0220133048

Section II: General Solid Waste Permit Conditions

For the City of Tacoma Landfill Site

1. **Compliance with All Conditions of Permit** – All conditions of this permit shall be followed or accomplished for the permittee to remain in compliance. Compliance requirements shall be met in the specified time period. For the purposes of this permit, the permit holder is responsible for all acts and omissions of contractors and agents of the permittee.
2. **Compliance Inspections** – Any duly authorized officer, employee, or representative of the Tacoma-Pierce County Health Department may enter and inspect the facility at any reasonable time to determine compliance with WAC 173-351 (adopted as Environmental Health Code Chapter 11 of the Tacoma-Pierce County Board of Health Regulations, Resolution #2014-4410), WAC 173-350 (adopted as Environmental Health Code Chapter 12 of the Tacoma-Pierce County Board of Health Regulations, Resolution 2014-4411), and WAC 173-304.
3. **Compliance with All Laws and Regulations** – The permittee must comply with the applicable requirements of WAC 173-351, WAC 173-350, and WAC 173-304. Nothing in this permit shall be construed as excusing the permittee from compliance with any applicable federal, state or local statutes, ordinances or regulations.
4. **Display of Permit** – This Solid Waste Handling Permit and the approved Plan of Operations shall be displayed or stored in a manner that allows easy access by site operating personnel.
5. **Suspensions and Revocations** – This permit is subject to suspension or revocation if the Health Department finds that:
 - a. the permit was obtained by misrepresenting or omitting any information that could potentially have affected the issuance of the permit, or will affect the current operation of the facility; or
 - b. there has been a significant change in quantity or character of the solid waste or the solid waste handling without prior approval from the Health Department; and/or there has been a violation of any of the conditions contained in this permit; or
 - c. that the site is being operated in violation of RCW 70.95, WAC 173-304, WAC 173-350, WAC 173-351, or local statutes, ordinances, or regulations.
6. **Public Health Emergency** – In the event a state of emergency is declared, or an imminent risk to public health exists, the Health Department may temporarily suspend or waive permit provisions or operational conditions, or may impose additional permit provisions or operational conditions, for such period deemed necessary in the sole discretion of the local health officer or his/her designee. To be considered an emergency or imminent risk to public health, the emergency must be declared by the President of the United States, the Governor of the State of Washington, the Pierce County Executive or a health order issued by the local health officer as provided by law.

7. **Transferability** -- This permit is transferable only upon prior written approval of the Health Department and after a demonstration has been made that the prospective transferee will be able to, and provides an express commitment to, comply with applicable laws and regulations, permit conditions, and other requirements to which the prospective transferor is subject.

Upon transfer of ownership of all or part of a facility, a provision must be included in the property deed indicating the period of time during which the facility has been disposing of solid waste, a description of the solid waste contained within, and the fact that the records for the facility have been filed with the Health Department. The deed must also refer to a map, which must be filed with the county clerk, showing the limits of the active areas as defined in WAC 173-351-100.

8. **Appeals** -- Whenever the Health Department denies a permit or suspends a permit for a solid waste handling site, it shall, upon request of the applicant or holder of the permit, grant a hearing on such denial or suspension within 30 days after the request is made. Notice of the hearing shall be given to all interested parties including the county or city having jurisdiction over the site and the Department. Within 30 days after the hearing, the health officer shall provide the applicant or the holder of the permit written notification of his or her determination. Any party aggrieved by such determination may appeal to the pollution control hearings board by filing with the hearings board a notice of appeal. The notice of appeal must be filed no more than 30 days after receipt of notice of the determination of the health officer. The hearings board shall hold a hearing in accordance with the provisions of the Administrative Procedure Act, RCW 34.05, as now or hereafter amended.
9. **Annual Permit Renewal** -- The permittee shall apply for renewal of the facility's permit annually, in accordance with WAC 173-350-710(3) and WAC 173-351-720(1)(i), except for that year that a permit has been or will be reissued under WAC 173-351-720(4). Therefore, the next permit renewal date is **March 24, 2018**. The permittee is authorized to continue all activities allowed under the current permit, if the Health Department has not rendered a decision on renewal by the current permit's expiration date, provided that the permittee has timely applied for permit renewal.
10. **Modification/Amendments** -- Should the permittee desire to modify this permit, the permittee must file a modification application at least 30 days before the intended modification. A modification application must be made on forms authorized by the Health Department and the Washington State Department of Ecology.
- To allow for permit modifications to be authorized at the time of permit renewal, the permittee may combine the application required for a permit modification with the application required for a renewal permit at the time of permit renewal.
- If necessary to protect public health or the environment, this permit may be amended by the Health Department. More stringent restrictions may be imposed on the facility during the time period the permit is valid. Amendments will be made in writing and will become specific conditions of the permit.
11. **Severability** -- If any provision or condition of this permit is found to be invalid, the remainder of this permit and its conditions shall not be affected.
12. **Enforcement Regarding Multiple Solid Waste Handling Facilities** -- For the purposes of enforcing the conditions of this permit, the Health Department will view each solid waste handling activity or operation at this site (that is, the Municipal Solid Waste Landfill, the Recovery and Transfer Center, the South Compactor Building, the Moderate Risk Waste Facility, the Public Receiving Transfer Stations, the Public Recycling Facility, the White Goods Recycling Facility, and the Expanded Polystyrene Recycling Facility) separately. If violations related to one solid waste operation result in a permit revocation or suspension or an equivalent action by the Health Department, the permittee may continue to operate the other solid waste handling operation in accordance with this permit and the relevant general and specific permit conditions.

Section III: Recovery and Transfer Center

Solid Waste Permit Conditions for the City of Tacoma

1. **Operations Plan** – Solid Waste Management shall operate this *Intermediate Solid Waste Handling Facility* in accordance with the approved operations plan dated April 16, 2015. If discrepancies exist between the facility's operations plan and this solid waste permit, the solid waste permit conditions shall prevail. Any revisions, additions or modifications shall be approved by the Health Department prior to implementation.
2. **Waste Acceptance** – Solid Waste Management is authorized to accept and process "solid wastes" as defined by WAC 173-350 to prepare for transport to other permitted or approved solid waste handling and disposal facilities.

If suspicious, hazardous, or uncharacterized wastes are discovered discarded at the facility, Solid Waste Management must take appropriate actions to segregate these wastes from the other incoming loads of waste and notify the Health Department as soon as practicable.
3. **Compliance with the General Permit Conditions** – Solid Waste Management shall comply with all the General Conditions described in Section II of this solid waste permit.
4. **Waste Removal** – Solid Waste Management is recommended to remove all solid waste from the tipping floor of this facility at the end of each working day. The purpose of removing solid waste at the end of each working day is to prevent vector attraction, odor generation, and to allow for routine sanitation of the tipping floor.
5. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology.
6. **Litter, Debris and Odor Control** – Solid Waste Management shall remove excess accumulation of litter and waste debris on all waste handling surfaces, aprons, and paved areas surrounding this facility at the end of the working day, and as needed during operating hours.
7. **Closure Plan** – According to WAC 173-350-310(7), Solid Waste Management shall submit a detailed Closure Plan to the Health Department for approval at least 180 days prior to the facility closing.

Section IV: South Compactor Building

Solid Waste Permit Conditions for the City of Tacoma

1. **Waste Acceptance** – Solid Waste Management is also authorized to accept and process “solid wastes” as defined by WAC 173-350 to prepare for transport to other permitted or approved solid waste handling and disposal facilities.

If suspicious, hazardous, or uncharacterized wastes are discovered discarded at the facility, Solid Waste Management must take appropriate actions to segregate these wastes from the other incoming loads of waste and notify the Health Department as soon as practicable.

2. **Operations Plan** – Solid Waste Management shall operate this *Intermediate Solid Waste Handling Facility* in accordance with the approved operations plan (dated April 16, 2015). If discrepancies exist between the facility’s operations plan and this solid waste permit, the solid waste permit conditions shall prevail. Any revisions, additions or modifications shall be approved by the Health Department prior to implementation.

3. **Compliance with General Permit Conditions** – Solid Waste Management shall comply with all the General Conditions described in Section II of this solid waste permit.

4. **Waste Removal** – Solid Waste Management shall remove all municipal solid waste from the tipping floor of this facility at the end of each working day, if applicable. The purpose of removing municipal solid waste from this unenclosed tipping floor at the end of each working day is to prevent vector attraction, odor generation, wind-blown litter, and to allow for routine sanitation of the tipping floors.

If emergency or unforeseen circumstances arise preventing the removal of waste by the end of the working day, Solid Waste Management shall notify the Health Department that day, or immediately the next morning (Monday – Friday), and provide an explanation as to why the waste cannot be processed, a timeline to resume normal operations, and describe how incoming waste will be managed in the interim.

5. **Vegetation Removal** – Solid Waste Management shall routinely cut or remove all overgrown vegetation surrounding this solid waste handling facility to reduce rodent harborage areas.

6. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology.

7. **Litter, Debris and Odor Control** – Solid Waste Management shall remove excess accumulation of litter and waste debris on all waste handling surfaces, aprons, and paved areas surrounding this facility at the end of the working day, and as needed during operating hours.

8. **Closure Plan** – According to WAC 173-350-310(7), Solid Waste Management shall submit a detailed Closure Plan to the Health Department for approval at least 180 days prior to the facility closing.

Section V: Moderate Risk Waste Facility

Solid Waste Permit Conditions for the City of Tacoma

1. **Acceptable Wastes** – Wastes accepted at the Household Hazardous Waste Collection Facility (Moderate Risk Waste Facility) are principally limited to those hazardous wastes generated by Pierce County residents. Notification of, and a determination of acceptability by the Health Department shall be required for every case in which the City of Tacoma Solid Waste Management accepts, processes, or stores non-residentially generated dangerous wastes. Solid Waste Management may notify the Health Department either in writing or verbally. The requirement for prior notification and authorization (1) may be waived for an emergency or other extraordinary situation and (2) shall not apply in cases where the types and volumes of non-residentially generated dangerous wastes involved are indistinguishable from household hazardous wastes. In the case of an emergency or other extraordinary situation Solid Waste Management staff shall notify the Health Department as soon as practical thereafter. Additionally, Solid Waste Management shall develop and maintain an "Exception Log" in which staff documents the date in, date out, origin, type, quantity and ultimate disposition of these non-residentially generated dangerous wastes.
2. **Compliance with General Permit Conditions** – Solid Waste Management shall comply with all the General Conditions described in Section II of this solid waste permit.
3. **Operations Plan** – Solid Waste Management shall operate this *Moderate Risk Waste Handling Facility* in accordance with the approved operations plan dated **March 2012** until the operations plan for this facility is updated. If discrepancies exist between the facility's operations plan and this solid waste permit, the solid waste permit conditions shall prevail. Any revisions, additions or modifications shall be approved by the Health Department prior to implementation.
4. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology.
5. **Closure Plan** – According to WAC 173-350-360(8), Solid Waste Management shall submit a detailed Closure Plan to the Health Department for approval at least 180 days prior to the facility closing.

Section VI: Public Receiving Transfer Stations

Solid Waste Permit Conditions for the City Of Tacoma

1. **Waste Acceptance** – Solid Waste Management is also authorized to accept and process “solid wastes” as defined by WAC 173-350 to prepare for transport to other permitted or approved solid waste handling and disposal facilities. If suspicious, hazardous, or uncharacterized wastes are discovered discarded at the facility, Solid Waste Management must take appropriate actions to segregate these wastes from the other incoming loads of waste and notify the Health Department as soon as practicable.
2. **Operations Plan** – Solid Waste Management shall operate this *Intermediate Solid Waste Handling Facility* in accordance with the approved operations plan (dated April 16, 2015). If discrepancies exist between the facility’s operations plan and this solid waste permit, the solid waste permit conditions shall prevail. Any revisions, additions or modifications shall be approved by the Health Department prior to implementation.
3. **Compliance with the General Permit Conditions** – Solid Waste Management shall comply with all the General Conditions described in Section II of this solid waste permit.
4. **Waste Removal** – Regarding the yard waste transfer station, Solid Waste Management shall remove all vegetative waste deposited on the tipping pads from the City yard waste curbside collection program and place into the dedicated transfer trailers at the end of each working day, or more frequently as necessary, to control fugitive odors.

Solid Waste Management may leave a small windrow of self-haul yard debris on the north tipping pad at the end of the working day. The tipping pad must be routinely swept.
5. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology. Solid Waste Management shall continue to include in the annual report, the regular monitoring of the movement of the concrete retaining walls associated with this facility and other recommendations provided in KPFF Consulting Engineers structural integrity report (dated February 8, 2005).
6. **Asbestos Wastes** – Solid Waste Management is allowed to accept asbestos-containing wastes in accordance with bagging and label requirements of the Puget Sound Clean Air Agency (PSCAA) and the Washington State Department of Labor and Industries. The permittee is allowed to accumulate asbestos-containing wastes in a dedicated drop box clearly marked “Asbestos Wastes Only.” The asbestos waste accumulated in this drop box must be handled in such a way that it does not compromise the integrity of the other contained or bagged asbestos waste. Asbestos-containing wastes must be transported directly to a permitted municipal solid waste landfill for proper handling and burial.
7. **Closure Plan** – According to WAC 173-350-310(7), Solid Waste Management shall submit a detailed Closure Plan to the Health Department for approval at least 180 days prior to the facility closing.

Section VII: Municipal Solid Waste Landfill in Post Closure Care

Solid Waste Permit Conditions for the City of Tacoma

Subsection A. Description of Permitted Municipal Solid Waste Landfill Units, Scope of this MSWLF Post Closure Care Permit and Authorized Activities

The City of Tacoma Municipal Solid Waste Landfill encompasses 190 acres, 31 acres of which is referred to as the 'Central Area'. The Central Area is a lined, municipal solid waste landfill cell constructed in 1987 and expanded in 1989/90 to comply with WAC 173-304, *Minimum Functional Standards*, and WAC 173-351, *Criteria for Municipal Solid Waste Landfills*. The older unlined portions of the Tacoma Landfill have been fully closed in accordance with the Tacoma Landfill Consent Decree and WAC 173-304 and are currently in post-closure care. With the closure of the Central Area, the closed portions of the site now consist of nearly 150 acres. These areas are the Stage 1 North and South Closures (26 and 24 acres respectively), the Stage 2 East and West Closures (17 and 45 acres respectively), the Stage 1 Extensions (4 acres), the Public Receiving Facility Asphalt Cap (originally 3.5 acres, now significantly less due to the construction of the Recovery and Transfer Center), the East Cap Extension, and the Stage 3 Closure (31-acres). The remaining portions of the site are utilized for administrative offices, vehicle fleet and container storage and other solid waste handling facilities. The 20-acre site located adjacent to the southeastern edge of the landfill has been utilized as a soil cover borrow pit, developed into a golf driving range, and is not part of the permitted solid waste handling facility.

The City of Tacoma Solid Waste Management (SWM) and the Health Department have established a Memorandum of Agreement for the continuation of the solid waste permit to encompass the Post Closure Care Activities at this Municipal Solid Waste Landfill while under the Consent Decree between the City of Tacoma, Environmental Protection Agency, and Washington Department of Ecology. Therefore, the Health Department authorizes SWM to maintain all post closure care activities on the municipal solid waste landfill within the existing 190-acre footprint. This Solid Waste Permit, issued in accordance with WAC 173-351 and WAC 173-304, covers the post-closure care of the lined Central Area (Stage 3), and the post-closure care of the Stage 1 Closure, Stage 2 Closure, the East Cap Extension, and the Public Receiving Facility Closure (asphalt cap).

Therefore, Solid Waste Management is authorized to conduct the following post-closure care landfill activities as described below:

1. a. **MSWLF Unit Name/Description:** Tacoma Landfill – Stage 3 Central Area Closure
- b. Rule applying to this unit: ☐ 173-304 ☒ 173-351
- c. Types of waste that were authorized in this unit:
☒ MSW ☒ Industrial ☒ Commercial ☒ Other As Approved
- d. Authorized design volume including final cover 2,675,000 yds³ (1.2 Million Tons)
- e. Estimated remaining capacity: Closed - Stopped accepting waste August 2012
- f. Latest authorized completion date: The construction of the Central Area cap was substantially completed by November 2013.

Tacoma-Pierce County Health Department - Tacoma Landfill Solid Waste Permit

2. a. **MSWLF Unit Name/Description:** Stage 1 North and South Closures, Stage 2 East and West Closures, East Cap Extension, and Public Receiving Facility Closure Area (asphalt cap)
- b. Rule applying to these closure areas: ☒ 173-304 ☐ 173-351
- c. Types of wastes that were authorized in these areas:
☒ MSW ☒ Industrial ☒ Commercial ☒ Other, Asbestos
- d. Estimated waste volume disposed in these areas (not including final cover):
Approximately 4.3 Million Tons
- e. Start of landfilling activity: 1960
- f. Latest authorized completion date: Stage 1 and 2 Closure Areas and Public Receiving Area (asphalt cap) were closed in 1990 and 1991. The East Cap Extension was completed in 2007. All Closure Areas are currently in the Post-Closure Care Period.

Subsection B. Post Closure Care Environmental Monitoring and Maintenance Plans

1. Solid Waste Management shall abide by all the conditions of the Tacoma Landfill Consent Decree (1991 and amended in 1996) established between the City of Tacoma, Environmental Protection Agency, and Washington Department of Ecology.
2. Solid Waste Management shall maintain Post Closure Care activities in accordance with the following environmental monitoring and maintenance plans that have been developed for the Closed Tacoma Landfill:
 - a. Draft Post Closure Landfill Gas Management Plan (dated April 25, 2017) – SWM shall finalize this Landfill Gas Management Plan during this permit cycle to address the Health Department's comments (dated July 1, 2017) and incorporate the results of the Tier II Landfill Gas Report.
 - b. Post Closure Water Quality Monitoring Sampling and Analysis Plan (February 3, 2017)
 - c. Post Closure Care Plan (March 11, 2016)
 - d. Post Closure Groundwater and Surface Compliance Monitoring Plan (July 30, 2014)
 - e. Rebound Monitoring Plan Addendum (July 28, 2014)
 - f. Background Groundwater Monitoring Plan (April 22, 2014)
 - g. Post Closure and Compliance Monitoring Plan (April 8, 2014)
3. All revisions, additions or modifications to the above-mentioned plans shall be approved by the Health Department prior to implementation.

Subsection C. Memorandum of Agreement

SWM shall comply with the terms of the Memorandum of Agreement (MOA) dated February 22, 2018, between the Solid Waste Management Division of the Environmental Services Department of the City of Tacoma and the Health Department. The MOA will expire on **March 2, 2023**, five years from the date of last signature (March 2, 2018).

Subsection D. Construction Activities.

1. **Submission of Design Drawings** - Sixty (60) days prior to beginning construction, SWM shall submit engineering design drawings and construction specifications to the Health Department for all construction projects that may influence the closed landfill or the remediation systems. Solid Waste Management shall not begin construction until the Health Department has approved the final engineering design drawings and construction specifications in writing.
2. **Construction Inspections** - The Health Department reserves the right to have a representative on site during construction to inspect all activities associated with the construction. Upon entering the site, the Health Department representative shall comply with all site safety procedures. The Health Department representative shall not be prevented in any manner from acquiring physical samples or examining construction documents for the purposes of independently conducting Construction Quality Assurance (CQA) analysis. All samples collected by the Health Department will be done in accordance with the approved CQA plan. Solid Waste Management shall be afforded the opportunity to collect duplicate samples.

Subsection E. Annual Reports

By April 1 each year, Solid Waste Management shall submit to the Health Department an annual report detailing facility activities as described in the Subsection B. for the previous calendar year and other information as required in the Consent Decree.

Subsection F. Financial Assurance Post-Closure and Corrective Action

Solid Waste Management shall maintain financial instruments for post-closure and corrective actions in accordance with WAC 173-351-600. The financial assurance programs for post-closure and corrective action are hereby approved and are subject to the following specific conditions:

1. **Post-Closure Cost Estimate Annual Adjustments** – Solid Waste Management shall annually review and adjust the post-closure cost estimates and shall submit these adjustments with the facility's annual report by April 1 of each year.
2. **Corrective Action** – Section XXXI, Financial Responsibility, of the Tacoma Landfill Consent Decree, addresses the financial responsibilities and assurances needed for funding the necessary remedial actions at the Tacoma Landfill. While the Tacoma Landfill Consent Decree was written and signed prior to the promulgation of WAC 173-351 and the Model Toxics Control Act (WAC 173-340), Section XXXI of the Consent Decree adequately addresses the requirements in WAC 173-351-600(4).

Section VII: Public Recycling Facility

The City of Tacoma

1. **Exemption from Solid Waste Permitting** – In a letter dated March 19, 2004, the Health Department received the City of Tacoma's *Notification of Exemption from a Solid Waste Permit for a Materials Recovery Facility* for this Recycling Facility in accordance with WAC 173-350-310(2). The Health Department confirmed in a letter to the City of Tacoma, dated December 14, 2004, that the Public Recycling Facility meets the criteria for exemption from solid waste permitting as a *Materials Recovery Facility* provided that the facility continues to meet the performance and reporting requirements described in WAC 173-350-310(2)(b).
2. **Waste Acceptance** – This facility currently accepts and sorts the following solid wastes so that these wastes may be reused or recycled at another site: used household goods, furniture and clothing, used building materials, electronics (televisions, computers, computer towers), scrap metal, tin and aluminum cans, glass, plastic film, plastic bottles and containers, newspaper, magazines, phone books, mixed paper, cardboard, and packing peanuts.
3. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology as required by WAC 173-350-310(2)(b)(v) to maintain its solid waste permit-exempt status.

Section IX: White Goods Recycling Facility

The City of Tacoma

1. **Exemption from Solid Waste Permitting** – The City of Tacoma submitted a *Notification of Exemption from a Solid Waste Permit for a Materials Recovery Facility* dated January 11, 2007, for this Recycling Facility in accordance with WAC 173-350-310(2). The Health Department approves that the White Goods Recycling Facility meets the criteria to be exempt from solid waste permitting as a *Materials Recovery Facility* if this facility continues to meet the performance and reporting requirements described in WAC 173-350-310(2)(b).
2. **Waste Acceptance** – This facility will recycle metal carcasses of appliances, compressors, refrigerants, compressor oils, and propane cylinders.
3. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology as required by WAC 173-350-310(2)(b)(v) to maintain its solid waste permit-exempt status.

Section X: Expanded Polystyrene Recycling Facility

The City of Tacoma

1. **Exemption from Solid Waste Permitting** – The City of Tacoma submitted a *Notification of Exemption from a Solid Waste Permit for a Recycling Facility* dated March 27, 2014, for this Recycling Facility in accordance with WAC 173-350-210(2). The Health Department approves that the Expanded Polystyrene Recycling Facility meets the criteria to be exempt from solid waste permitting as a *Recycling Facility* if this facility continues to meet the performance and reporting requirements described in WAC 173-350-210(2).
2. **Waste Acceptance** – This facility will recycle expanded polystyrene #6 (Styrofoam) and polyethylene foam #4. The Styrofoam is processed into ingots. The polyethylene foam is collected and delivered to a vendor to recycle.
3. **Annual Report** – Solid Waste Management shall submit an annual report for the previous calendar year to the Health Department and the Department of Ecology by April 1 each year on forms supplied by the Department of Ecology as required by WAC 173-350-210(2)(b)(v) to maintain the facility's solid waste permit-exempt status.

Appendix A

Solid Waste Permit

Solid Waste Permit

Conditional



Tacoma-Pierce County
Health Department
Healthy People in Healthy Communities


Permit #: 27-051 Renewal Date: March 24, 2019

Type of Facility: MSW Landfill in Post Closure Care [X] Moderate Risk Waste [X]
Intermediate Solid Waste Handling [X] Recycling [X]

This Certifies that City of Tacoma Solid Waste Management

Engaged in the Business of Post-Closure Care WAC 173-304 Municipal Solid Waste Landfill, Post-Closure Care WAC 173-351 Municipal Solid Waste Landfill, Moderate Risk Waste Facility, and three Intermediate Solid Waste Handling Facilities (i.e., the Resource Recovery and Transfer Facility, the South Compactor Facility, and the Public Transfer Stations)

is Permitted in Accordance with RCW 70.95, WAC 173-351, WAC 173-304, WAC 173-350.

BY 
Anthony L-T Chen, MD, MPH, Director of Health

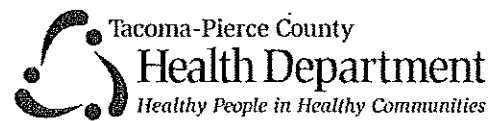
This Certificate Is Revocable for Cause and Is Not Transferable

Appendix B

Memorandum of Agreement

Memorandum of Agreement

City of Tacoma Landfill



Between City of Tacoma Solid Waste Management and Tacoma-Pierce County Health Department

This Memorandum of Agreement (MOA) is between Tacoma-Pierce County Health Department (Health Department) and City of Tacoma, by and through, the Solid Waste Management (SWM) Division of the Environmental Services Department of the City of Tacoma.

Scope and Purpose

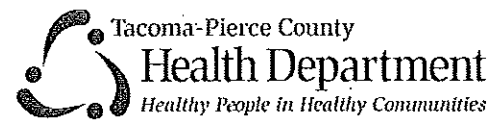
The purpose of this MOA is to clarify the status of the solid waste permit and the parties' mutual expectations as to how the solid waste permit shall apply in the interim to the closed City of Tacoma Municipal Solid Waste Landfill until such time as the Landfill is delisted under CERCLA as described below.

Chapter 173-351 WAC, Criteria for Municipal Solid Waste Landfills, establishes statewide standards for the siting, design, construction, operation and closure of Municipal Solid Waste Landfills (MSWLFs). WAC 173-351-700, Permitting Requirements, states that MSWLFs are exempt from the permitting requirements if remedial actions at a MSWLF unit performed by the state and/or in conjunction with the United States Environmental Protection Agency to implement the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), Model Toxics Control Act, or remedial actions taken by others to comply with a state and/or federal cleanup order provided that: (i) the action results in an overall improvement of the environmental impact of the site; (ii) the action does not require or result in additional waste being delivered to the facility or increase the amount of waste or contamination present at the facility; (iii) the substantive provisions of this chapter are met; and (iv) the jurisdictional health department is informed of the actions to be taken and is given the opportunity to review and comment upon the proposed remedial action plans.

The Tacoma Landfill is an existing remedial action site governed by CERCLA and is a subunit of the Commencement Bay – South Tacoma Channel Superfund site. A Consent Decree has been established between the City of Tacoma, United States Environmental Protection Agency (USEPA), and the Washington Department of Ecology (Ecology) that describes the remedial actions that are being taken at the Tacoma Landfill. Since the landfill is now officially closed, following the approval of the Central Area Phase 3 project construction documents, and because the conditions described in WAC 173-351-700 are present, the Health Department no longer has solid waste permitting authority over this cleanup site while in the post-closure care period under the Consent Decree.

Memorandum of Agreement

City of Tacoma Landfill



Therefore, through this MOA, SWM agrees to continue to maintain a solid waste permit from the Health Department for the now closed landfill. The primary reason for SWM maintaining the site's solid waste permit is to ensure a smooth transition when the Tacoma Landfill site is delisted from CERCLA. Maintaining the existing solid waste permit will eliminate the need to complete a new solid waste permit application and review process after the Tacoma Landfill site is delisted. Through this MOA, the Health Department will continue to issue the solid waste permit for the closed Tacoma Landfill site while SMW remains under the Consent Decree, presuming that SWM will continue to:

- Comply with the requirements of the Consent Decree.
- Comply with the solid waste permit issued by the Health Department in accordance with WAC 173-304 and WAC 173-351.
- Obtain approval from the Health Department for all construction projects on, and that may influence, the landfill itself or its remediation systems, and to comply with all project-specific conditions.
- Pay the requisite permit fees to the Health Department as established in the Tacoma-Pierce County Board of Health Fee Schedule.

Duration

The maximum duration of this Memorandum of Agreement is five (5) years from the date of signature.

Enforcement; Termination

If enforcement is needed to comply with the terms and conditions of this MOA, the Health Department will follow the procedures developed in the Environmental Health Code Chapter 11 *Criteria for Municipal Solid Waste Landfills* adopted as the *Tacoma-Pierce County Board of Health Resolution Number 2014-4410*.

At any time SWM or the Health Department may legally terminate this agreement by providing 30 days' written notice, unless involved in an active enforcement or corrective action. The notice shall provide specific justification and detail for the termination.

Memorandum of Agreement

City of Tacoma Landfill




Signatures


City of Tacoma Solid Waste Management

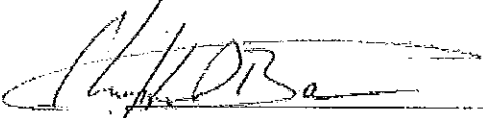
Tacoma-Pierce County Health Department

 2-14-18
Michael P. Slevin III, Department Director Date

 2/23/18 JGC
Jessica Gehle, Division Director Date

 2-26-18
Lewis Griffith, Division Manager Date

 2/23/2018 JGC
Christopher Schuler, Business Manager Date

 2-28-18
Chris Bacha, Chief Deputy City Attorney Date

