

STATE OF ALASKA

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

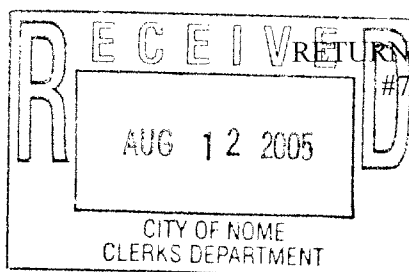
FRANK MURKOWSKI, GOVERNOR

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

August 8, 2005

File Number: 400.15.012

Mr. Randy Romenesko, City Manager
City of Nome
P.O. Box 281
Nome, AK 99762



CERTIFIED MAIL
RETURN RECEIPT REQUESTED
#7002 2410 0003 2830 9421

Subject: Solid Waste Disposal Permit #SWNOM0012000:20102MA, Renewal of City of Nome Beam Road Landfill Permit #0032-BA003

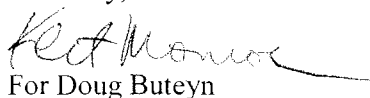
Dear Mr. Romenesko:

The Department of Environmental Conservation has completed its evaluation of your application dated June 30, 2005 for the renewal of the solid waste disposal permit for the operation of a Class II Municipal Solid Waste Landfill (MSWLF) located at Mile 3 Beam Road, Nome, Alaska, in Section 21, T. 11 S., R. 33 W., Kateel River Meridian, and is issuing the enclosed permit in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure they are all understood. This permit is effective upon issuance and expires August 1, 2010.

The Department has considered and granted your request for a waiver from the provisions of 18 AAC 60.340(a). The daily cover provisions of 18 AAC 60.340(a) are waived during the winter months when cover material stockpiles are frozen, but not exceeding October 1 to May 30 of each year. Please note the conditions of Appendix A.IV.D concerning cover requirements during the winter.

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

Sincerely,


For Doug Buteyn

Northern Region Solid Waste Coordinator

DG/KM/XD (EH/SW/FBKS - G:\EH\SW\2005\SWNOM0012000-20102MA Nome Beam Road.doc)

Enclosure: Permit #SWNOM0012000:20102MA

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL HEALTH

610 University Avenue
Fairbanks, Alaska 99709

SOLID WASTE DISPOSAL PERMIT

PERMIT NO. SWNOM0012000:20102MA

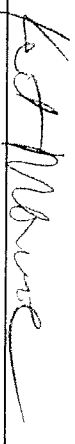
DATE August 8, 2005

This solid waste disposal permit is issued to the City of Nome, P. O. Box 281, Healy, Alaska 99762, for the construction, operation, and maintenance of a Class II Municipal Solid Waste Landfill (MSWLF) located at Mile 3 Beam Road, Nome, Alaska, in Section 21, T. 11 S., R. 33 W., Kateel River Meridian, as presented in application materials dated June 30, 2005.

While conducting waste disposal operations, the City of Nome is subject to the applicable requirements of 18 AAC 60 and the conditions and stipulations contained in Appendices A, B, C, and D of this permit.

This permit is issued under provisions of Alaska Statutes 46.03, the Alaska Administrative Code as amended or revised, and other applicable state laws and regulations.

This permit is effective upon issuance and expires August 1, 2010. It may be terminated or modified in accordance with AS 46.03.120.



For Doug Buteyn
Northern Region Solid Waste Coordinator

APPENDIX A - SPECIFIC CONDITIONS

I. APPLICATION COMPLIANCE

The following document is incorporated as part of the permit:

- A. June 30, 2005 Permit Renewal Application

If anything in the aforementioned documents conflict with requirements of Appendices A through E, or State laws, then the requirements of Appendices A through E, and State laws take precedence.

II. SITE PREPARATION

The permittee shall:

- A. Maintain berms, partial fencing, and a locking gate on the access road at the site entrance to control public access and wildlife/domestic animal attraction to the site.
1. If it is determined either by the Alaska Department of Fish and Game (ADF&G) or the Alaska Department of Environmental Conservation (ADEC) that wildlife attraction to the site is significant then a complete fence will be constructed around the solid waste disposal areas.
 2. If a fence is required, meet construction specifications to be agreed upon by the City of Nome, ADF&G, and ADEC considered adequate to effectively exclude carnivores.
- B. Maintain permanent markers, such as surveying bench marks, from which the exact location of the facility and each closed portion can be determined.
- C. Erect and maintain a readily visible sign at the facility with the following information legibly printed:

Facility Identification
Owner/Operator Name
Hours of Operation
Conditions for Use
Emergency Phone Numbers

- D. Ensure that surface water runoff from outside the facility does not flow onto the facility and over, into, or through uncovered or covered solid wastes by constructing and maintaining diversion structures such as ditches or berms.

II. SITE PREPARATION (cont.)

- E. Erect and maintain a sign at the entrance to the site that lists items that may not be disposed of such as sewage sludge, acids, corrosives, solvents, liquid wastes, oily wastes, explosives, hazardous wastes, radioactive wastes, or unsterilized medical waste.
- F. Erect and maintain readily visible signs in the facility directing users to the various disposal areas and listing pertinent rules for public use.

III. SITE OPERATIONS

The permittee shall:

- A. Ensure that only domestic refuse, commercial refuse, animal carcasses and animal processing solids, and ash are disposed of at the facility. Asbestos may be accepted when done in accordance with the conditions in Appendix D.
 - B. Disposal or use of polluted soil as cover material from the NJUS Nome Tank Farm is allowed under the conditions of the Department approval dated August 2, 2004, amended August 9, 2004. Disposal of other polluted soils are subject to approval by the Department.
-
- C. Ensure that public access to the facility is controlled to reduce risks to health and to reduce safety hazards. Maintain on-site roads to assure easy user access to the facility at all times during open hours.
 - D. Ensure that landfill personnel conduct random hazardous waste inspections of incoming loads at least once per week to check for prohibited wastes.
 - 1. Ensure that landfill personnel receive adequate training in the identification of hazardous waste and prohibited waste.
 - 2. Maintain a hazardous waste inspection log, which will be available to the Department during facility inspections.
 - E. Ensure that vehicles/contractors using the solid waste disposal facilities arrive with secured loads in order to reduce litter problems.
 - F. Prohibit the uncontrolled scavenging and salvaging by the public on the working face of the facility. A salvage area located away from the active disposal cell may be developed, but must be maintained so as not to create a public nuisance.
 - G. Report all spills or discharges of hazardous substances which occur at the landfill facility as described in 18 AAC 75, Article 3, or as revised or amended.

IV. BURIAL

The permittee shall:

- A. Ensure the wastes placed in the disposal cell are compacted in two foot increments with a minimum of five passes of the dozer/compaction equipment on site.
- B. Consolidate, compact and cover wastes with a minimum of six inches of soil at the end of each operating day during the months when the soil is not frozen. Increase cover frequency during the summer if necessary to accommodate disposal volume increases or to control disease vectors, odors, fire, wildlife attraction, scavenging problems or blowing litter.
- C. Compact wastes daily during winter conditions when the soils are frozen. The cover requirements of 18 AAC 60.340(a) are waived when cover material sources are frozen, but not exceeding October 1 to May 30 of each year. As soon as soil is workable in the spring, a six-inch layer of compacted soil shall be placed on all uncovered waste at the site.
- D. Employ an alternative cover, subject to approval of the Department, during the winter if litter or bird attractions are determined to be nuisances. The use of snow as an alternative cover is prohibited.
- E.

Ensure the working face is kept as small as practical to reduce the potential for windblown litter and for the attraction of birds and animals. The width of the working face shall not exceed 75 feet, and the height of the working face shall not exceed 10 feet.
- F. Ensure that all non-salvageable drums are empty of fluids prior to crushing and burying. Remove all fluids from drums prior to disposal and properly dispose of in accordance with all applicable State and Federal laws, including but not limited to, RCRA, the Clean Water Act, the Clean Air Act, Title 46 of Alaska Statutes, and 18 AAC 60. Ensure that all large containers (e.g., cleaned drums and tanks) are crushed and flattened to prevent voids in the fill.
- G. Ensure that animal carcasses and animal processing wastes are disposed of in the following manner:
 - 1. Liquid waste from animal processing plants is not accepted.
 - 2. Small numbers of carcasses (e.g. less than 10 per day) may be placed in the active disposal cell, dusted with a layer of lime, and covered immediately with 6 inches of soil.
 - 3. Large numbers of carcasses (e.g. 10 or more per day) or animal processing plant waste solids shall be placed in a trench within the active cell, limed, and covered with six inches of soil daily, or otherwise treated to reduce the attraction of scavenging animals or birds.

V. BURNING

The permittee shall:

- A. Prohibit open burning on the working face and within the permitted landfill area. Immediately extinguish all fires that accidentally occur at the facility.
- B. Notify the Department of Environmental Conservation, Northern Regional Office, at 451-2108 within 24-hours of a fire, if any fires occur on the working face.
- C. Allow controlled open burning of wastes such as paper, cardboard, or wood which do not create black smoke or smoldering of waste when done in accordance with Air Quality Regulations for open burning 18 AAC 50. Open burning shall be done in a burn facility located away from the working face and not inside the landfill boundary. Controlled open burning must occur in an enhanced burning device and only when an attendant is on duty. (See section on Monitoring and Reporting for ash testing requirements prior to disposal in the landfill).

VI. LITTER

The permittee shall:

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- A. Collect all windblown and littered refuse from the disposal site and along access roads at least monthly and return it to the active disposal cell for burial. All littered wastes on lands within 500 feet of the site and along Beam Road, whether windblown or dumped, shall be collected and disposed at a frequency necessary to prevent litter from becoming an aesthetic nuisance.
 - B. Install and maintain portable litter control fencing close to the working face to contain wind blown litter, especially during winter when cover soil is unusable.

VII. SNOW CONTROL

The permittee shall:

- A. Remove significant accumulations of snow from the active cell and working face as necessary during the winter.
- B. Remove all snow from active and closed disposal areas prior to spring snow melt.
- C. Deposit any snow removed in an area away from the working face within the landfill and clean up any accumulated litter in that area after the snow melts.
- D. Erect snow fences or berms as necessary to control blowing or drifting snow at the site, particularly in the active disposal cell.

VII. PROHIBITIONS AND SPECIAL RESTRICTIONS

The permittee shall:

- A. Prohibit discharge of firearms at the facility.
- B. Prohibit the disposal of hazardous wastes as defined in 40 CFR part 261.3, oily wastes, waste oil, greases, paints, industrial sludges, and chemical wastes at this facility.
- C. Prohibit the disposal of oily wastes, waste oil, greases, paints, sludges, and chemical wastes at this facility unless written permission is obtained from the Department. Oil filters must be hot-drained and crushed prior to land filling.
- D. Prohibit disposal of lead-acid vehicle batteries at the landfill site.

APPENDIX B - MONITORING AND REPORTING

I. VISUAL MONITORING, SITE PLANS, AND RECORDKEEPING

The permittee shall:

- A. Visually monitor the site monthly for signs of damage or potential damage from settlement, ponding, leakage, erosion, or operations and record the results of the inspections. Visually monitor the established wells and thermistor strings in the soil boring holes for signs of damage. Retain the results of visual monitoring in the operating record for the facility and make them available for Department review upon request.
- B. Maintain a set of site development and use plans for the active inert waste disposal cell and submit an updated copy to the Department showing current status on or before December 31 of each year.
- C. Maintain a copy of the following records listed in Table A in the facility's operating record. The records shall be made available to Department staff for review during facility inspections.

Table A

RECORD KEEPING REQUIREMENTS	REGULATION CITATION:
Permit application or permit	18 AAC 60.210
Solid Waste Management Plan	18 AAC 60.205
Gas monitoring & any related corrective action records	18 AAC 60.380(a)(2)
Groundwater and surface water monitoring records & any related corrective action records	18 AAC 60.235, 830(f), 820-860
Operations & Maintenance Manual	18 AAC 60.210(b)(9)
On-site sewage solids disposal records (if applicable)	18 AAC 60.365
Visual Inspections Records	18 AAC 60.210(b)(13)
Financial Responsibility Documentation	18 AAC 60.265
Hazardous wastes/PCB detection program records	18 AAC 60.240
Closure & post-closure plans & post-closure notation to deed (if applicable)	18 AAC 60.245 & 395□
Staff training & operator certification records for Class I operators (i.e., landfill operations, safety, etc.)	18 AAC.60.335
Airport distance, floodplain, and other location restriction demonstrations	18 AAC 305-320
Current site plan & cross sectional drawings of the landfill	18 AAC 60.210(b)(6)

II. GROUND WATER MONITORING REQUIREMENTS

The permittee shall:

- A. Maintain and monitor at a minimum one up gradient groundwater monitoring well and two down gradient wells to bedrock, wells M-1, M-2, and M-3 on the site plan.
- B. Monitor the wells at least once during the second (spring) and third (preferably September) quarters of each year.
- C. If a sufficient amount of water for analysis is detected in the wells, it shall be collected according to the approved Quality Assurance/Quality Control (QA/QC) Plan contained in the Nome City Landfill Operations Plan. Collected samples shall be analyzed by a laboratory that has an approved QA/QC plan with the Department.
- D. If water is collected from the wells, it shall be analyzed for the following contaminants using EPA approved methods.

BTEX	Antimony	Selenium
Diesel Range Organics	Arsenic	Silver
Gasoline Range Organics	Barium	Thallium
Chloride	Cadmium	Vanadium
Sulfate	Chromium	Zinc
pH	Cobalt	
Temperature	Copper	
Total Dissolved Solids	Lead	
Nitrate	Nickel	

- E. Submit the results of groundwater analyses to the Fairbanks Office of the ADEC Solid Waste Program by December 31 of each year. If no water is observed in the wells or an insufficient volume for analysis is found, submit a letter to the Department with information as to the date the wells were monitored, who did the monitoring, and what was observed in them.

III. SURFACE WATER MONITORING REQUIREMENTS

The permittee shall:

- A. Collect surface water samples from one up gradient and two down gradient sampling points. A sample shall be collected from the Otter Creek drainage, up gradient of the landfill towards the northeast end of the site. Down gradient samples shall be collected from a small seasonal pond near the southwest corner of the facility and from the Otter Creek Drainage at the second and third bench interface (approximately 1000 feet of the southwest property corner).

III. SURFACE WATER MONITORING REQUIREMENTS (cont.)

- B. Establish and maintain permanent markers where the surface water samples are collected.
- C. Collect samples in accordance with the approved QA/AC plan included in the Operations Plan. Collected samples shall be analyzed by a laboratory that has an approved QA/AC plan with the Department.
- D. Collect samples for analysis in the spring and fall of each year.
- E. Samples shall be analyzed for the following contaminants using EPA approved methods.

BTEX	Total Dissolved Solids	Cadmium
Gasoline Range Organics	Nitrate	Chromium
Diesel Range Organics	Sulfate	Lead
Turbidity	Arsenic	Mercury
pH	Barium	Zinc
Temperature		

- F. Submit the results of surface water analyses to the Fairbanks Office of the ADEC Solid Waste Program by December 31 of each year. If no water is observed in the sampling locations or an insufficient volume for analysis is found, submit a letter to the Department with information as to the date the surface waters were monitored, who did the monitoring, and what was observed in them.
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IV. EXPLOSIVE GAS MONITORING & CONTROL

The permittee shall:

- A. Implement a gas monitoring and control plan as described in 18 AAC 60.350 to ensure that the concentration of methane gas generated by the facility does not exceed.
 - 1. Twenty-five percent of the lower explosive limit for methane in facility structures; and
 - 2. The lower explosive limit for methane at the facility property boundary.
- B. Conduct gas monitoring at least quarterly and conduct monitoring at the four corners of the active cell at the property boundary and in the landfill shop.
- C. Retain gas monitoring data results in the operating record for the facility and make them available for review during facility inspections.

V. ASH TESTING

The permittee shall:

- A. When open burning is resumed in the burn pit, test ash resulting from the burning of the wastes described above in Appendix A.V using a composite sample that adequately characterizes the waste stream prior to its disposal in the landfill.
 - B. Collect ash in accordance with the quality control/quality assurance plan contained in the Operating Plan. Collected samples shall be analyzed by a laboratory that has an approved QA/QC plan with the Department.
 - C. Test ash for toxicity for the following metals: arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver using the Toxicity Characteristic Leaching Procedure (TCLP) test outlined in 40 CFR Part 261.
 - D. Retain records of ash testing analysis in the operating record for the facility for review by departmental personnel during an inspection of the facility.
 - E. Notify ADEC within five (5) working days of receiving analysis results if a toxicity characteristic exceeds minimum allowable levels. Ash which exhibits a toxicity characteristic may not be placed in this landfill.
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VI. THERMAL MONITORING

The permittee shall:

- A. Maintain thermal monitoring devices in the locations described in the permit application and the Operations Plan.
- B. Monitor the thermistor temperatures in May and September of each year.
- C. Record the results of the thermal monitoring in the operational record for the facility and submit a copy of the thermal monitoring results to the Department by December 31 of each year.

APPENDIX C - SITE CLOSURE

I. CLOSURE, RESTORATION AND POST-CLOSURE

The permittee shall:

- A. Notify the Department's Fairbanks office at least thirty days before the site is to be permanently closed and the equipment withdrawn
 - B. Ensure that closure activities are conducted in accordance with the Closure Plan or as otherwise approved by the Department in writing.
 - C. Ensure that placement of a final cover begins no later than 270 days after the last date on which the landfill facility stops accepting waste. Complete closure activities within one year after beginning closure or on a schedule otherwise approved by the Department. Install a final cover system designed to minimize infiltration and grade it to drain without surface erosion or ponding of surface water.
 - D. Develop and implement a vegetative cover plan for completed areas within the first growing season using plant species recommended by the Alaska Plant Material Center (907) 745-4469.
-
- E. Prepare and submit a survey as-built or record drawing to the Department showing the location, types, and volume of waste deposited at the facility. Provide a copy to any purchaser or transferee at the time of property sale or lease and file those records with the nearest ADEC Solid Waste Program Office within 60 days of the final closure or expiration date of this permit.
 - F. File the survey as-built or record drawings of the area used as a landfill with the State Recorder's Office or other appropriate land records office approved by the Department. Also file a plat note or other file notation informing future property owners that use of the land must not result in the disturbance of the final cover, cap or other structures or devices installed as part of the closure, unless approved by the Department. Submit proof of the land records filings to the Department within 60 days after the entire facility is permanently closed to land filling or expiration date of this permit.
 - G. Visually inspect the site annually during the spring, for at least 30 consecutive years following closure, to check for signs of damage from settlement or erosion. Maintain a record of the visual inspections documenting any problems and repairs, as necessary and maintain these reports in the operating record for the facility.
 - H. Monitor the facility for methane gas on a quarterly schedule as described in Appendix B.IV of this permit, during the 30-year post-closure period. Notify the nearest ADEC Solid Waste Program office within 24 hours of any methane gas levels exceeding the lower explosive limit.

I. CLOSURE, RESTORATION AND POST-CLOSURE (cont.)

- I. Maintain the thermal monitoring program at the site for thirty years (30) after site closure to ensure soils surrounding the facility remain frozen. Thermal monitoring will be conducted quarterly. If monitoring data indicates that thermal instability is occurring, additional surface or groundwater monitoring programs may be required. Restoration of the thermal stability at the site may also be required.
- J. Continue to perform ground water monitoring following site closure. Groundwater will be monitored annually during the fall. If sufficient ground water for sampling is not present within five years of closure, and thermal monitoring reveals thermal stability at the site, the Department will reevaluate the requirement for continued groundwater monitoring.
- K. Submit a report to the nearest ADEC Solid Waste Program office describing site conditions and summarizing the information collected during the first five years of post-closure monitoring.
- L. Notify the Department at the end of the 30-year post-closure period with a description of the conditions at the site and photographs of the closed landfill area.

APPENDIX D - ASBESTOS DISPOSAL CONDITIONS

I. SITE PREPARATION

The permittee shall:

- A. Designate and maintain a separate area for regulated asbestos containing material (RACM) waste disposal.
- B. Install fencing, berms, trenches, or other barriers appropriate to the location of the landfill to control access to the designated asbestos disposal area.
- C. Post signs at the asbestos site entrance and at 100 foot intervals or less along the asbestos site boundary that state in one-inch or taller lettering:

**ASBESTOS WASTE DISPOSAL SITE
DO NOT CREATE DUST
BREATHING ASBESTOS
IS HAZARDOUS TO YOUR HEALTH**

Signs may be removed after the final cover has been applied; however, a permanent monument indicating that asbestos is buried below must be maintained.

II. RECEIVING ASBESTOS WASTE

The permittee shall:

- A. Ensure the permittee or designated representative is present at the site to supervise the disposal. The landfill operator must maintain a log of the source and quantity of asbestos delivered. Landfill operators may require the driver to sign in or sign over a chain-of-custody or waste manifest form. The facility owner must maintain shipping manifests and all other records pertaining to the asbestos waste.
- B. Inspect loads to verify that RACM waste is properly contained in leak-tight containers and labeled appropriately. A complete and accurate shipment record shall accompany the loads. The operator should contact the Alaska Department of Environmental Conservation (907-451-2108) and the U.S. Environmental Protection Agency (206-553-1757 or 907-269-4954) if the waste is improperly packaged.
- C. Ensure RACM asbestos waste is thoroughly wetted and placed in a leak-tight container before burial. Containers may be barrels, drums, or double six-mil or thicker plastic bags.
- D. Ensure all RACM containers shall have a warning label attached that states:

CAUTION
CONTAINS ASBESTOS
AVOID OPENING OR BREAKING CONTAINER
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH
Or:
CAUTION
CONTAINS ASBESTOS
AVOID OPENING OR BREAKING CONTAINER
BREATHING ASBESTOS DUST
MAY CAUSE SERIOUS BODILY HARM

III. WASTE DEPOSITION AND COVERING

The permittee shall:

- A. Ensure non-regulated asbestos containing material waste (non-RACM waste) is buried in a manner that does not result in the release of asbestos fibers to the air or surface water. Non-RACM waste must be covered with six inches of cover material within 24 hours after its placement in the disposal area. Regulations do not require non-RACM waste to be packaged or labeled, but in some cases, packaging may be appropriate to prevent the release of asbestos dust. The generation of asbestos dust from non-friable (non-RACM) asbestos is a violation of NESHAP. Non-RACM waste may be disposed of in the municipal solid waste cell if no fires have occurred in the cell for more than one year.

III. WASTE DEPOSITION AND COVERING (cont.)

- B. Place RACM waste into the disposal cell carefully to avoid breaking the material or containers. Particular care must be taken with plastic bags since they may break under pressure and emit asbestos particles.
- C. Cover the waste and container with at least six inches of non-asbestos containing soil material by the end of each day of waste deposition.

IV. SITE CLOSURE

The permittee shall:

- A. Construct a permanent survey marker at the site.
 - B. Ensure final cover of at least two feet of non-asbestos containing soil is applied within 90 days of the last deposition to areas that will not receive more waste within one year. Additional cover may be required in areas subject to excessive soil erosion or frost action.
 - C. Maintain the integrity of the soil cover, slopes, vegetation, and drainage structures of closed asbestos waste disposal sites.
-
- D. Prepare an as-built or record drawing showing the location and volume of waste deposited at the asbestos waste disposal site.
 - E. File a notation with the State Recorder's Office that asbestos disposal has occurred at the site on the property deed, with a written warning about health and safety hazards related to disturbing the site. Provide proof to the Department that this notation has been recorded.

V. REPORTING

The permittee shall:

- A. Retain all records regarding RACM waste accepted at the site for at least two years after site closure. Records shall be furnished to the Department upon request.
- B. Maintain an exact description of the location (maps or diagrams) with reference to a permanent marker or survey post, showing the depth of the waste area, and the amount, in cubic yards of RACM waste accepted. This information shall be kept in the facility operating record, until landfill closure is complete.

APPENDIX E: GENERAL CONDITIONS

I. ACCESS AND INSPECTION

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

II. INFORMATION ACCESS

Except for information relating to confidential processes or methods of manufacture, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501.

III. CIVIL AND CRIMINAL LIABILITY

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

IV. AVAILABILITY

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

V. ADVERSE IMPACT

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

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

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

VII. APPLICATIONS FOR RENEWAL

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

VIII. OTHER LEGAL OBLIGATIONS

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

IX. POLLUTION PREVENTION

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