

# Request for Comments

## Proposed Solid Waste Closure Permit for Albany Paper Mill Landfill

**Comments due:** 5 p.m., Dec. 21, 2016

**Project location:** Albany Paper Mill Landfill, 2800 Old Salem Road NE, Albany, Oregon; Linn County

**Proposal:** The Oregon Department of Environmental Quality proposes to issue a solid waste closure permit for this site. The permit authorizes the operator of this site to implement closure and post-closure activities in conformance with the requirements, limitations and conditions set forth in the permit. The closed landfill will not be allowed to accept solid waste. The facility is operated and maintained by International Paper Company.

**Highlights:** The facility is an industrial solid waste landfill. The current DEQ solid waste permit expires on March 31, 2017.

A review of the DEQ solid waste permit file for the site indicates that there were no significant compliance issues noted during the last permit cycle. The most recent compliance inspection was completed on Dec. 11, 2015. The facility was in compliance with all its permit conditions at that time. No pollution complaints have been received by DEQ during the term of this permit.

**How to comment:** Send comments to DEQ Permit Coordinator, Denise Miller, at 165 E. Seventh Ave., Ste 100, Eugene, OR 97401 or [miller.denise@deq.state.or.us](mailto:miller.denise@deq.state.or.us).

**Where can I get more information?** View the draft permit and permit evaluation electronically by scrolling down in this document or going to <http://oregon.gov/deq/Pages/publicnotice.aspx>. To request a copy be mailed to you, contact Denise Miller, DEQ permit coordinator, at 541-687-7465 or [miller.denise@deq.state.or.us](mailto:miller.denise@deq.state.or.us). For questions on the permit, please contact Hugh Gao at 503-378-4977 or [gao.hugh@deq.state.or.us](mailto:gao.hugh@deq.state.or.us).

If you want to review the application and related documents in person at the DEQ office located in Eugene at 165 E. Seventh Ave., Ste 100, Eugene, OR 97401, please contact Denise Miller, DEQ permit coordinator, at 541-687-7465 or [miller.denise@deq.state.or.us](mailto:miller.denise@deq.state.or.us), to set up an appointment.

**The next step:** DEQ considers and responds to all comments received and may modify the proposed permit based on comments.

**Accessibility information:** Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).



State of Oregon  
Department of  
Environmental  
Quality

**Western Region  
Materials Management  
Program**

165 E Seventh Ave.

Eugene OR 97401

Phone: 541-687-7465

800-849-8477

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Contact: [Denise Miller](mailto:Denise.Miller@deq.state.or.us)

Email:

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[us](http://www.oregon.gov/DEQ)

[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)



## SOLID WASTE DISPOSAL SITE PERMIT: Captive Industrial Solid Waste Landfill - Closed

Oregon Department of Environmental Quality  
165 E. Seventh Ave., Suite 100  
Eugene, OR 97401-3049  
541-687-7465

Issued in accordance with the provisions of [Oregon Revised Statutes Chapter 459](#), ; [Oregon Administrative Rules 340 Divisions 93](#), [95](#), and [97](#); and subject to the Land Use Compatibility Statement referenced below.

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**Issued to:**

International Paper Company  
Albany Paper Mill  
3251 Old Salem Road NE  
Albany, OR 97321  
503-926-2281

**Facility name and location:**

Albany Paper Mill Landfill  
2800 Old Salem Road NE  
Albany, OR 97321  
Section 32, T10S, R3W, WM, Linn County

**Owner:**

International Paper Company  
6400 Poplar Avenue  
Memphis, TN 38197

**Operator:**

International Paper Company

**ISSUED IN RESPONSE TO:**

- A solid waste permit application received Oct. 2, 2016
- A Closure Plan approved Aug. 12, 2016
- A Land Use Compatibility Statement from the City of Millersburg dated Aug. 30, 2016

The determination to issue this permit is based on findings and technical information included in the permit record.

**ISSUED BY THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY**

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Brian Fuller, Manager Hazardous and Solid Waste  
Permitting and Compliance  
Western Region

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Date

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**Permitted Activities**

Until such time as this permit expires or is modified or revoked, the permittee is authorized to maintain a closed solid waste land disposal site in conformance with the requirements, limitations and conditions set forth in this document including all attachments.

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### Introduction

This document is a solid waste permit issued by the Oregon Department of Environmental Quality in accordance with [Oregon Revised Statutes 459](#) and [Oregon Administrative Rules, Chapter 340](#).

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## PERMIT ADMINISTRATION

### 1 Issuance

#### 1.1 Permittee

This permit is issued to International Paper Company.

#### 1.2 Permit number

This permit will be referred to as Solid Waste Permit Number 1025.

#### 1.3 Permit term

The issue date of this permit is the date the document is signed.

The permit's expiration date is Dec. 15, 2026.

#### 1.4 Facility type

The facility is permitted as a closed captive industrial waste landfill.

#### 1.5 Facility owner/ operator

The owner of this facility is: International Paper Company, 6400 Poplar Ave., Memphis, TN 38197.

The operator of this facility is: Albany paper Mill Landfill, 2800 Old Salem Road NE, Albany, OR 97321.

#### 1.6 Basis for issuance

This permit is issued based upon the following documents submitted by the permittee:

- Solid waste permit application received Oct. 2, 2016
- Closure Plan approved Aug. 12, 2016
- Land Use Compatibility Statements from the City of Millersburg dated August 30, 2016

#### 1.7 Definitions

Unless otherwise specified, all terms are as defined in [OAR 340-93-030](#).

#### 1.8 Legal control of property

The permittee must at all times maintain legal control of the disposal site property; including maintaining a current permit, contract or agreement that allows the operation of the facility if the site is not owned by the permittee.

#### 1.9 Submittal & notification address

All submittals to DEQ, unless otherwise noted, must be sent to:

Oregon Department of Environmental Quality  
Materials Management Program  
165 E. Seventh Ave., Suite 100  
Eugene, OR 97401-3049  
541-687-7465

All submittals must include, at a minimum, one paper copy and one full electronic copy in a format that is approved by the DEQ project manager.

Note: Whenever possible, the permittee must submit two-sided paper copies of all reports. Disclaimers

#### 1.10 Property rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.

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### **1.11 DEQ liability**

DEQ, its officers, agents or employees do not sustain any liability on account of the issuance of this permit or on account of the construction, maintenance or operation of facilities pursuant to this permit.

## **2 Authority**

### **2.1 Ten year permit**

This permit is issued for a maximum of 10 years as authorized by Oregon Revised Statutes 459.245 (2).

### **2.2 Documents superseded**

This document is the primary solid waste permit for the facility, superseding all other solid waste permits issued for Albany Paper Mill by DEQ.

### **2.3 Permittee responsibility and liability**

Conditions of this permit are binding upon the permittee. The permittee must conduct all facility activities in compliance with the provisions of this permit. The permittee is liable for all acts and omissions of the permittee's contractors and agents.

### **2.4 Other compliance**

Issuance of this permit does not relieve the permittee from the responsibility to comply with all other applicable federal, state, or local laws or regulations. This includes the following solid waste requirements, as well as all updates or additions to these requirements:

- Solid waste permit application received Oct. 2, 2016
- Oregon Revised Statutes, Chapters 459 and 459A
- Oregon Administrative Rules Chapter 340
- Any documents submitted by the permittee and approved by DEQ

### **2.5 DEQ access to disposal site**

The permittee must allow representatives of the DEQ access to the disposal facility at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data and carrying out other necessary functions related to this permit.

Reference: [OAR 340-093-0050\(6\)](#).

### **2.6 Penalties**

Violation of permit conditions will subject the permittee to civil penalties of up to \$25,000 for each day of each violation

Reference: [ORS 459.995\(1\)\(a\)](#).

## **3 Permit Modification**

### **3.1 Five year review**

Between the 4th and 6th year of the life of the permit, DEQ may review the permit and determine whether or not the permit should be amended.

While not an exclusive list, the following factors will be used in making that determination:

- Compliance history of the facility
- Changes in volume, waste composition, or operations at the facility
- Changes in state or federal rules which should be incorporated into the permit
- A significant release of leachate or landfill gas to the environment from the facility
- Significant changes to a DEQ-approved site development plan and/or conceptual design

### **3.2 Permit modification**

DEQ or the permittee may, at any time during the permit's term, propose to change the permit.

Once approved by DEQ, any permit-required plans become part of the permit by reference. DEQ may provide notice and opportunity for review of permit-required plans.

### **3.3 Modification and revocation by DEQ**

The DEQ director may, at any time before the expiration date, modify, suspend, or revoke this permit in whole or in part, in accordance with Oregon Revised Statutes 459.255, for reasons including but not limited to the following:

- Violation of any terms or conditions of this permit or any applicable statute, rule, standard or order of the Environmental Quality Commission
- Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts
- A significant change in the quantity or character of solid waste received or in the operation of the disposal site

### **3.4 Modification by permittee**

The permittee must apply for a modification to this permit if there is a significant change in facility operations or a deviation from activities described in this document.

### **3.5 Public participation**

DEQ will issue a public notice to inform the public of any significant changes to the permit.

### **3.6 Changes in ownership**

At least 10 days in advance, the permittee must report to DEQ any change in the facility's ownership or the permittee's or operator's name and/or address.

Reference: [OAR 340-093-0070\(6\)\(a\)\(A\)](#)

## **CLOSURE CARE**

## **4 Authorizations**

### **4.1 Closure care**

The permittee is authorized to provide post-closure care to the facility.

### **4.2 Authorization of activities**

All facility activities are to be conducted in accordance with the provisions of this permit. All plans required by this permit become part of the permit by reference once approved by DEQ. Any conditions of the approval are also incorporated into this permit unless contested by the permittee within 30 days of the receipt of a conditional approval.

## **5 Prohibitions**

### **5.1 Waste receipt**

The disposal site is closed to waste receipt. The permittee is prohibited from accepting solid waste.

### **5.2 Open burning**

The permittee must not conduct any open burning at the site.

## **6 Closure Construction and Maintenance**

### **6.1 Plan compliance**

The permittee must maintain the disposal site in accordance with the approved Closure/Post-Closure Plan, and any amendments to the Plan, approved in writing by DEQ.

### **6.2 Vegetation**

The permittee must establish and maintain a dense, healthy growth of native vegetation over the closed areas of the landfill consistent with the proposed final use.

### **6.3 Surface contour maintenance**

The permittee must maintain the final surface contours of the landfill cover so that erosion and ponding of water is prevented to the maximum extent practicable. Erosion damage (cuts) must be repaired and seeded so that all waste remains covered.

The permittee must refill with soil, grade and seed all areas that have settled or where water ponds, and all areas where the cover soil has been damaged by cracking or erosion. Areas where vegetation has not been fully established must be fertilized, reseeded and maintained.

### **6.4 Surface water**

The permittee must divert surface water drainage around or away from the landfill at all times.

The permittee must maintain surface water diversion ditches or structures free of obstructions and debris at all times.

### **6.5 Leachate prevention**

The permittee must maintain the disposal site in a manner which deters leachate production to the maximum extent practical. Leachate must be prevented, collected, evaporated or otherwise treated and controlled in a manner approved by DEQ.

### **6.6 Additional soil cover**

If surface or groundwater monitoring indicates significant leachate discharges, an additional 12 inches of approved soil and 6 inches of topsoil must be placed over the landfill, in accordance with the approved Closure/Post-Closure Plan. The permittee may also voluntarily place additional soil cover on the landfill, in accordance with the Plan.

### **6.7 Design plans**

The permittee must submit engineering design plans for any closure construction or ancillary facilities for DEQ review and approval at least six months prior to the anticipated construction date.

### **6.8 Construction report**

Within 90 days, the permittee must submit a construction report upon completion of landfill closure construction.

### **6.9 Deed**

Within 90 days of issuance of this permit, the permittee must record the presence and location of the waste in the property deed record on file with the County, and submit a copy of the recorded document to DEQ.

## **7 Facility Management**

### **7.1 Discovery of prohibited waste**

Any solid waste discovered at the facility which appears to be prohibited waste must be isolated or removed immediately. Non-hazardous prohibited waste must, within 48 hours, be transported to a disposal site authorized to accept such waste, unless otherwise approved by DEQ.

In the event discovered wastes are hazardous or suspected to be hazardous, the permittee must, within 24 hours, notify DEQ and initiate procedures to identify and remove the waste. Hazardous waste must be removed within 90 days, unless otherwise approved by DEQ. Temporary storage and transportation must be carried out in accordance with the rules of DEQ.

## **7.2 Inspection**

The permittee must physically inspect the entire disposal site at least monthly to determine compliance with this permit and the rules of DEQ. The permittee must record any post-closure repairs performed. Inspection records must be made available to DEQ upon request.

## **7.3 Evaluation**

Prior to Nov. 1 of each year, the permittee must conduct and submit to DEQ an evaluation of the facility's status, including:

- A discussion of implementation of the closure and post-closure plans
- A description of unanticipated occurrences and any changes to the closure or post-closure plans
- A discussion of the status and adequacy of the financial assurance plan, including an accounting of amounts deposited, expenses drawn from the fund and the current balance

## **7.4 Fees**

The permittee must pay the solid waste fee each year this permit is in effect. An invoice indicating the amount of the fee will be mailed prior to the date due.

## **7.5 Access control**

The permittee must control public access to the facility as necessary to prevent unauthorized entry and dumping.

## **7.6 Fire protection**

Arrangements must be made with the local fire control agency to immediately acquire their services when needed and adequate on-site fire control protection, as determined through the local fire control agency, must be provided. Fires must be immediately and thoroughly extinguished and promptly reported to DEQ.

## **7.7 Future use**

Any future use, activity or construction of buildings, structures or utilities on this disposal site must have prior written approval of DEQ and must be done in a manner that protects the integrity of the final cover system, landfill stability and surface water control systems.

# **8 Financial Assurance**

## **8.1 Financial assurance plan**

The permittee must update a financial assurance plan and provide financial assurance for the costs of site closure, post-closure care and corrective action. The plan must be placed in the facility file.

Reference: The plan must be prepared in accordance with [OAR 340-95-090](#). Acceptable mechanisms are described in [OAR 340-94-095](#).

## **8.2 Submittal**

Before April 8 each year, the permittee must submit to DEQ evidence of the financial assurance consisting of:

- A copy of the first financial assurance mechanism
- A written certification that the financial assurance meets all state requirements

## **8.3 Use of financial assurance**

The permittee must not use the financial assurance for any purpose other than to finance the approved closure, post-closure and corrective action activities or to guarantee that those activities will be completed.

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#### 8.4 Continuous Nature

Continuous financial assurance must be maintained for the facility until the permittee or other person owning or controlling the site is no longer required to demonstrate financial responsibility for closure, post-closure care or corrective action (if required).

### ENVIRONMENTAL MONITORING

## 9 Environmental Monitoring

### 9.1 Rule

The permittee must not allow release of any substance from the landfill into the groundwater which will result in a violation of any applicable federal or state groundwater or drinking water rules or regulations beyond the boundary of the disposal site

### 9.2 Environmental Monitoring

The permittee must not allow release of any substance from the landfill into the groundwater which will result in a violation of any applicable federal or state groundwater or drinking water rules or regulations beyond the boundary of the disposal site

### COMPLIANCE SCHEDULE

## 10 Summary of Due Dates

### 10.1 Summary

The following is a summary of event-driven reporting required by this permit. This section does not include routine reporting and submittals required by this permit.

Due Date	Activity	See section...
By every Nov. 1	Submit an annual site evaluation	7.3 Evaluation
Within 90 days of permit issuance	Submit recorded copy of the deed record	6.9 Deed
6 months before any construction	Submit design plans	6.7 Design plans
90 days after completion of construction	Submit construction report	6.8 Construction report
Before April 8 each year	Submit a financial assurance plan	8.2 Financial assurance plan

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## Permit Evaluation and Overview Albany Paper Mill Landfill

Oregon Department of Environmental Quality  
Western Region - Eugene Office  
165 E. Seventh Ave, Suite 100  
Eugene, OR 97401  
Contact: Hugh Gao  
503-378-4977  
[gao.hugh@deq.state.or.us](mailto:gao.hugh@deq.state.or.us)

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### Proposed Permit

The Department of Environmental Quality proposes to issue a closure solid waste permit for the Albany Paper Mill site owned, operated and maintained by International Paper Company. International Paper Company owns the property on which the landfill is located. The site has historically been used to dispose of and authorized to accept:

- Primary settling pond sludge
- Dewatered primary clarifier/Dissolved Air Flotation sludge
- Dewatered fiber and wastewater sludge removed by dewatering presses prior to their introduction to (upstream of) the primary settling ponds

The current permit was issued on Feb. 15, 2007 and will expire on March 31, 2017.

### Permit Writer

Hugh Gao  
Western Region –Salem Office  
503-378-4977  
[gao.hugh@deq.state.or.us](mailto:gao.hugh@deq.state.or.us)

### Permit Category

Solid waste disposal site – Closure Industrial Solid Waste Landfill Permit Application

### Activities Covered Under this Permit

This permit authorizes the facility to implement closure and post-closure activities per OAR 340-095-0080 and site-specific DEQ-approved closure and post-closure plan with limitations as defined in the permit.

### Activities Not Covered Under the Permit

Since the site is closed and a closure permit is being proposed, the permittee is prohibited from accepting any solid waste for disposal. Additionally, open burning would also be prohibited.

### Source Location

Albany Paper Mill Landfill  
2800 Old Salem Road NE  
Albany, OR 97321  
Section 32, T10S, R3W, WM, Linn County

### Coverage and Eligibility

The permit is effective on the date it is signed by DEQ and is proposed to expire on Dec. 31, 2026. The permit is issued in accordance with the provisions of [Oregon Revised Statutes Chapter 459](#); [Oregon Administrative Rules 340 Divisions 93, 95, and 97](#) and subject to the Land Use Compatibility Statement issued by City of Millersburg dated Aug. 30, 2016, as referenced in the permit.

This type of permit is issued for facilities where activities involve similar waste and landfill closure and post-closure care and maintenance.

**Introduction: What is DEQ Proposing?**

DEQ is proposing to issue a Solid Waste Disposal Site Closure Permit for the Albany Paper Mill Landfill.

The permit allows the permittee to implement closure and post-closure activities at the disposal site in conformance with the requirements, limitations and conditions set forth in the permit.

The permit prohibits acceptance of any waste materials for disposal in a landfill. The permit also prohibits open burning at the closed disposal site.

Conditions contained in the permit and DEQ-approved closure plan require closure and post-closure activities at the disposal site to be implemented in a manner that protects the environment.

**Regulatory Context**

[Oregon Revised Statutes Chapter 459](#) requires a DEQ permit for any solid waste disposal site. OAR Chapter 340 Divisions 93-97 provides further clarification of requirements for permitted facilities.

**Permit History**

The Albany Paper Mill Landfill disposal site has been permitted by DEQ since 1986. The proposed permit renewal will extend the permit for approximately 10 additional years.

This landfill was authorized to accept:

- Primary settling pond sludge
- Dewatered primary clarifier/Dissolved Air Flotation sludge
- Dewatered fiber and wastewater sludge removed by dewatering presses prior to their introduction to (upstream of) the primary settling ponds

The waste disposed is mostly wood fiber, paper pulp waste and lime (sludge). Most of the disposed waste on the site is authorized for reusing as land application material. So the landfill was used as a waste storage site because most of the waste in the landfill was removed seasonally for land application. Only a portion of the sludge and fiber that cannot be land applied on the fields is permanently placed in the landfill.

The landfill has been inactive since January 2012, because of the paper mill closure. The entire mill has been demolished and removed. The permittee, therefore, requests to close the landfill.

A closure and post closure plan was received, reviewed, and approved by DEQ on Aug. 12, 2016. According to the plan, the landfill portion would be re-graded, covered, and re-vegetated as necessary to minimize leachate generation and create positive drainage of the area to prevent ponding water.

This closure permit continues to require financial assurance at this time. DEQ will review and re-evaluate the landfill conditions after the landfill closure, based on its post closure care and maintenance.

**Compliance History**

The landfill has been inactive since January 2012, because of the paper mill closure. The entire mill has been demolished and removed. The permittee, therefore, requests close the landfill. The most recent site inspection was conducted on Dec. 11, 2015 and no violations were noted during that inspection. There have been no violations documented and no formal enforcement actions taken by DEQ for this site during this permit cycle.

## **DEQ'S Recommendation Regarding the Permit Renewal**

Based on a review of all issues, site visits and discussions with the permittee, I recommend the issuance of a closure permit and putting the draft closure permit issuance out for public notice and comment