



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Environmental
Conservation**

DIVISION OF ENVIRONMENTAL HEALTH
Solid Waste Program

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Fairbanks, Alaska 99709-3643
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May 28, 2020

Certified Mail # 7018 0680 0000 3320 4374
Return Receipt Requested

File No.: 900.15.028

Mr. Kit Marrs
Western Alaska Copper and Gold
PO Box 881
Talkeetna, Alaska 99676

Re: Inert Waste Disposal Authorization No. SWINERT39-21 – Western Alaska Copper & Gold Illinois Creek Mine

Dear Mr. Marrs:

The Alaska Department of Environmental Conservation (DEC) has evaluated and approves Western Alaska Copper and Gold's application to conduct a one-time disposal of inert waste. The disposal area is located at 64.05780° W, -157.83929° W in Section 35, Township 16 South, Range 5 East Kateel River Meridian at the Illinois Creek Mine. This authorization is being issued under Title 18, Chapter 60, Section 200(d) of the Alaska Administrative Code [18 AAC 60.200(d)]. Authorization fees are assessed in accordance with 18 AAC 60.700 Table I-3.

Please review the conditions and stipulations in the authorization and ensure that they are understood by supervisors and operators.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 - 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. **Informal review requests** must be delivered to the Division Director, Alaska Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501 within 15 days of the permit decision. **Adjudicatory 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. More information regarding submitting a request for an informal review or adjudicatory hearing may be found at www.dec.state.ak.us/commish/ReviewGuidance.htm. Even if an adjudicatory hearing has been requested and granted, all conditions remain in effect unless a stay has been granted.

Sincerely,

A handwritten signature in blue ink that reads "Douglas Buteyn".

Douglas Buteyn
Northern/Southeastern Regional Program Manager

Encl: Authorization, expiring on June 10, 2021

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
610 University Avenue
Fairbanks, AK 99709

**SOLID WASTE AUTHORIZATION
FOR A ONE-TIME DISPOSAL OF INERT WASTE
WITH VOLUME OF 1,000 CUBIC YARDS OR LESS**

Authorization No. SWINERT39-21

Date Issued: June 10, 2020
Date Expires: June 10, 2021

DEC, under authority of AS 46.03 and 18 AAC 60, issues this authorization for the operation and maintenance of a landfill for inert waste. A landfill subject to this authorization must meet the following criteria:

- Waste must be generated locally (within 25 miles of the disposal site);
- Waste must consist solely of inert waste, including building debris, non-RACM, scrap metal, and other construction and demolition (C&D) waste;
- Waste must be generated from a single project;
- Total volume of waste may not exceed **1,000 cubic yards**;
- The landfill must be located in a remote area with no year-round ground access to a major road system (a system of connected roads with a total length of 100 miles or more);
- The landfill must be in a location where there is no reasonable access to an existing permitted landfill. "No reasonable access" means that all permitted landfills are more than 100 road miles away or have refused, in writing, to accept the waste; and
- Active disposal at the site may not exceed one year in duration.

If the applicant is not able to meet the conditions of this authorization, then an Inert Waste Monofill Permit may be applied for under 18 AAC 60.210 or the waste should be disposed in an existing permitted landfill.

The holder of this authorization shall manage and operate the facility in accordance with:

- 18 AAC 60, and
- the authorization application materials, dated .

In addition, the following general and specific conditions and stipulations are required:

SPECIFIC CONDITIONS

1. Site Preparation

- a) Construct a disposal pit, trench, or above-grade bermed cell capable of containing the volume of waste to be deposited, not to exceed 1,000 cubic yards.

- b) Ensure the disposal area is designed to resist damage caused by natural events that could reasonably be expected to occur in the area (i.e., overflow, floods, earthquakes, thawing of unstable permafrost, and freeze-thaw effects).
- c) Ensure a minimum vertical distance of four feet is maintained between the base of the waste disposal cell and the seasonal high groundwater table.
- d) Ensure that disposal sites located within the 100-year flood plain are designed to prevent the exposure or washout of waste and to avoid restricting water flow during any flooding that might occur.
- e) Ensure that solid wastes are not placed in surface waters.
- f) Ensure that the waste disposal cell is a minimum of 100 feet from any surface water body, and 200 feet from any drinking water source. Local law may require a greater separation distance.
- g) Ensure that surface water runoff from outside the facility does not flow onto the facility and over, into, or through wastes. If necessary, construct and maintain diversion structures such as ditches or berms.
- h) Maintain a minimum horizontal separation distance of 50 feet between the disposal cell and the property boundary.
- i) Restrict access to the designated disposal area by installing and maintaining fencing, berms, or other barriers as necessary to prevent unauthorized access or dumping.

2. Facility Operations

- a) Waste Acceptance - Inspect waste to ensure that only inert waste is disposed at this site. Disposal of all other types of waste, including household, camp, and municipal solid wastes, is prohibited.
- b) Non-RACM Waste Handling - Ensure that non-RACM waste is handled and placed in the disposal cell in a manner that prevents release of asbestos fibers to the air or surface water.
- c) Container Handling - Ensure that all large containers (e.g., drums and tanks) are empty of all liquids, cleaned, and flattened prior to disposal. Contents of containers must be properly disposed.
- d) Cover
 - i. Cover non-RACM waste within 24 hours after placement of wastes in the disposal cell with at least six inches of soil.
 - ii. Cover other inert wastes as necessary to prevent escape of waste or windblown litter, and to control the size of the working face.
- e) Working Face - Ensure the landfill working face is kept as small as practical to reduce the potential for windblown litter or attractions of birds and animals.

- f) Control of Litter – As needed, collect all windblown and littered refuse and return it to the active disposal area for burial;
- g) Burning
 - i. Prohibit open burning at the facility.
 - ii. Maintain fire suppression equipment at the facility.
 - iii. Immediately extinguish all fires that occur in the disposal area.
 - iv. If any fires occur in the disposal area, notify the nearest office of the DEC Solid Waste Program within 7 days.

3. Monitoring and Reporting

- a) Visually monitor and record observations of the site each month during active operation of the site, using the Visual Monitoring Checklist in Appendix A.
- b) Retain copies of all reports, monitoring, and records required by this authorization until closure is approved by DEC.

4. Closure and Restoration

- a) Ensure that final cover is applied within 90 days after the last waste is deposited.
 - i. Final cover must consist of at least two feet of soil.
 - ii. The top six inches of cover must promote successful revegetation of the site.
 - iii. The landfill must be graded and shaped to promote surface water runoff without erosion or ponding, and minimize the amount of water entering the waste.
- b) Implement the approved vegetative cover plan for the closed site within the first growing season, using plant species recommended by the Alaska Plant Material Center (907) 745-4469.
- c) Prepare as-built survey or updated facility record drawings showing the location and boundaries of the waste management area and location of permanent markers or survey monuments.
- d) Record the as-built survey or updated facility record drawings at the State Recorder's Office or other appropriate land records office approved by DEC, along with a plat note or other file notation stating that the area was used for inert waste disposal, and providing information about the geographical boundaries of the waste management area.
- e) **Submit a closure to report to DEC for approval no later than 180 days after final waste is deposited. The report must include**
 - i. **An as-built survey or updated facility record drawing, showing the boundaries of the waste management area;**

- ii. **Documentation of the amount of waste deposited;**
 - iii. **Evidence that the required notation has been made to the property deed; and**
 - iv. **Photographic documentation showing the integrity of the final cover.**
- f) Restoration will be required at any time after facility closure is approved, if DEC determines that there is a threat to human health or the environment.

GENERAL CONDITIONS

1. **Access and inspection** - The holder of this authorization shall allow the Commissioner or representatives access to the disposal facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this authorization, State laws, and regulations.
2. **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 authorization shall be available for public inspection at the State of Alaska, Department of Environmental Conservation, local area office.
3. **Civil and criminal liability** - Nothing in this authorization shall relieve the holder 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.
4. **Availability** - The holder of this authorization shall post or maintain a copy of this authorization available to the public at the disposal facility.
5. **Adverse impact** - The holder of this authorization 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 authorization, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The Holder of this authorization shall clean up and restore all areas adversely impacted by the noncompliance.
6. **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).
7. **Other legal obligations** - The requirements, duties, and obligations set forth in this authorization 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 Holder of this authorization. This authorization does not relieve the Holder of this authorization 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 Holder of this authorization pursuant to the terms of this authorization and all plans implemented by the

Holder of this authorization pursuant to the terms of this authorization shall comply with all applicable state and federal laws and regulations.

8. **Pollution prevention** - In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the Holder of this authorization shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.

This authorization expires on June 10, 2021, and may be revoked or amended at any time. The authorization **may not** be renewed. If the facility will accept waste beyond the expiration date, the facility owner must obtain an inert waste monofill permit.



Douglas Buteyn
Northern/Southeastern Regional Program Manager

APPENDIX A

Visual Monitoring Checklist

Facility Name:	
Inspector:	
Date:	

Evaluate each item and check whether acceptable (A) or unacceptable (U). Complete any required information, and make notes on the conditions observed, and any corrective actions taken.

A	U	Notes
		Access control measures are in good repair/functioning (fencing, berms, or other barriers necessary to prevent unauthorized access or dumping)
		All waste has been appropriately covered (non-RACM waste must be covered within 24 hours)
		Signs of damage or potential damage to any portion of the facility, including containment structure, retaining wall, erosion control, diversion structure, or other structures
		Signs of erosion
		Signs of settlement in covered areas
		Any ponding or accumulation of standing water
		Signs of leakage or leachate seeping
		Other signs of instability
		Escape of waste (waste outside the disposal area)
		Unauthorized types of waste in or near the disposal site
		Signs of fire or combustion at the site? Is adequate fire suppression equipment available?
		Any other violations of permit conditions or regulations

Notes: