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BUREAU OF WASTE MANAGEMENT

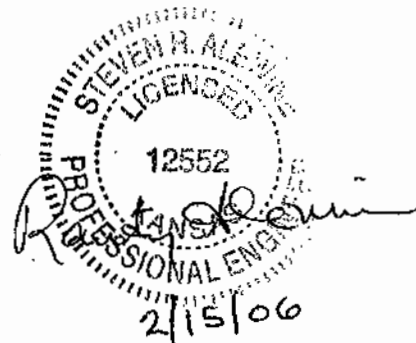
APPLICATION FOR PERMIT
MODIFICATION FOR
APAC C&D LANDFILL

KDHE PERMIT NO. 487

APAC-KANSAS, INC.
7100 W. 167TH STREET
Overland Park, KS 66283

January 2006

Prepared by:
The Stinson Environmental Group, LLC
13410 Santa Fe Trail Dr., Suite L
Lenexa, KS 66215
913-495-9990



1. APPLICATION FOR C&D LANDFILL EXPANSION



KANSAS

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

APPLICATION FOR SOLID WASTE LANDFILL PERMIT

I. Applicant information:

Applicant's name APAC-KS
Mailing address 7355 W. 162nd Terrace, Overland Park, KS 66283
Person to contact Dan Jones Title Manager-EH&S
Telephone (913) 814-6700 Fax (913) 814-6766

Entity type (check one):

Federal Agency County X Business
State Agency City Individual
Township Other

II. Site information:

Facility name APAC-KS C&D Landfill
Physical address 7100 W. 167th St., Overland Park, KS 66283
Johnson County
1/4 of the, 1/4 of the, SE 1/4 of, Section 18, Township 14S, Range 25E

In the following table, fill in total areas and capacities (not just remaining values). "Existing" parameters should match the existing landfill permit and approved plans for an existing facility; or for a new facility leave the "existing" columns blank.

Table with 7 columns: Parameters, Existing (MSW, Ind., C&D2), Proposed (MSW, Ind., C&D1). Rows include Property area, Landfill types, Disposal area, Capacity (tons), Capacity (cubic yards), and Capacity (years).

III. Type of application (check one):

New permit
[X] Modification* of an existing permit
Transfer** of an existing permit

MSW = municipal solid waste landfill (see K.S.A. 65-3402(cc))
Ind. = industrial waste (see K.S.A. 65-3402(x)) landfill; also includes waste tire monofills and asbestos monofills
C&D = construction and demolition landfill (see K.S.A. 65-3402(v))
* / ** See notes on page 2

DIVISION OF ENVIRONMENT
Bureau of Waste Management
CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE. 320, TOPEKA, KS 66612-1366
Voice 785-296-1600 Fax 785-296-1592 http://www.kdhe.state.ks.us/waste

* 850#'s = 1cy
a original permitted acreage

1 - remaining capacity with modification
2 - remaining capacity without modification (ratio of 50/82 x (1)).

Application for Solid Waste Landfill Permit

* This application is required for "significant" modifications as defined in Bureau of Waste Management Policy 98-05 (any increase in property area, and/or increases of 10% or more in the disposal capacity). Minor modifications (those that do not meet the definition of "significant") are usually requested by submitting a letter with amended plans.

** This application is required if the applicant intends to manage different waste (types or characteristics), operate the facility differently, and/or if significant modifications are proposed. A streamlined application for simple permit transfers (name change or ownership change only) is provided on the Bureau of Waste Management web site.

IV. Facility type (check all that apply):

(For new permits identify the *proposed* facility type(s). For modifications or transfers identify the *existing* facility type(s).)

Municipal solid waste landfill

Subtitle D

Small arid

Industrial landfill

Asbestos monofill

Waste tire monofill

Other (list types of waste): _____

Construction & demolition landfill

V. Modifications proposed (if existing facility; check all that apply):

Increase property area

Increase disposal capacity

Add new type of disposal unit

Municipal solid waste landfill

Subtitle D

Small arid

Industrial landfill

Asbestos monofill

Waste tire monofill

Other (list types of waste): _____

Construction & demolition landfill

Add processing unit (submit separate processing facility permit application form for each type)

Composting

Household hazardous waste

Incinerator

Land farm

Transfer station

Other: _____

Other modifications (explain): _____

Application for Solid Waste Landfill Permit

VI. Items to submit with this application (check each item or indicate "NA" for not applicable):

"†" indicates a form is available on the Bureau of Waste Management web site.

For permit modifications (or transfers using this form), only submit items that must be updated. Items submitted in the past that are still effective, correct, applicable, and acceptable do not have to be resubmitted.

X Business Concern Disclosure Statement (BCDS)[†] or Public Entity Disclosure Statement (PEDS)[†]

Large companies (100 or more employees) or companies based in other states should use BCDS Form 1. Small companies (less than 100 employees) based in Kansas may use BCDS Form 2.

If the applicant submitted a BCDS to the Bureau of Waste Management within the past three years, then the applicant may either submit: a new, updated BCDS; an addendum to the BCDS to cover the period since the previous BCDS, including a new signed certification; or a signed certification that the previous BCDS is still applicable, that none of the information has changed, and that there is no new information to report.

If the applicant previously submitted a PEDS to the Bureau of Waste Management the Bureau would not normally require a new or updated PEDS.

X Proof that the applicant owns the property where the landfill will be located if the landfill is:

(from K.S.A. 65-3407(m)(3))

(A) A municipal solid waste landfill; or

(B) a solid waste disposal area that has:

(i) A leachate or gas collection or treatment system;

(ii) waste containment systems or appurtenances with planned maintenance schedules; or

(iii) an environmental monitoring system with planned maintenance schedules or periodic sampling and analysis requirements.

OR

Evidence that the applicant leased the property prior to April 1, 1999 if the permit will be for a vertical or lateral expansion contiguous to a permitted solid waste disposal area in operation on July 1, 1999

Copy of lease agreement (if the property is leased)

NA Application fee:

\$5,000.00 for a new municipal solid waste landfill

\$3,000.00 for a new industrial landfill

\$1,000.00 for a new C&D landfill disposing more than 10,000 tons annually

\$ 500.00 for a new C&D landfill disposing more than 1,000 and less than 10,000 tons annually

\$ 250.00 for a new C&D landfill disposing less than 1,000 tons annually

Make check payable to: Kansas Department of Health & Environment.

A city, county, or other political subdivision or state agency is exempt from the application and renewal fees.

Application fees are not normally assessed for permit modifications and transfers unless the application constitutes a new permit (e.g., adding a municipal solid waste landfill at an existing C&D landfill).

NA Waste characterization

Required for industrial landfills except asbestos monofills, waste tire monofills, and other predetermined inert waste.

Submit Material Safety Data Sheets (MSDS) if available, and/or analysis of chemical constituents.

Application for Solid Waste Landfill Permit

NA Leaching tests

Required for industrial landfills when the waste characterization identifies constituents that pose a risk to groundwater quality.

Submit leaching test results using an EPA or ASTM method that most closely simulates the landfill environment.

X Hydrogeologic investigation (see K.A.R. 28-29-104(b))

Required for all municipal solid waste landfills, and required for industrial landfills used for disposal of non-inert waste.

Hydrogeologic reports may be submitted prior to submission of this application form.

X Request for Location Demonstration Information Regarding Distance from the Nearest Intake Point of a Public Surface Water Supply System[†]

X Location demonstrations (see K.A.R. 28-29-23(d), 102, 302, and Policy 02-02)

X Agency notifications and requests for comments

- X Kansas Biological Survey
- X Kansas Corporation Commission
- X Kansas Department of Agriculture - Division of Water Resources
- X Kansas Department of Wildlife and Parks
- X Kansas Geological Survey
- X Kansas State Conservation Commission
- X Kansas State Historical Society
- X Kansas Water Office
- X U.S. Department of the Army - Corps of Engineers
- Other _____

Input from other agencies may be required.

X Map and description of abutting properties including location and land use, names and mailing addresses of property owners. If the proposed site is adjacent to a public road, include property across the road.

X Design drawings and calculations (see K.A.R. 28-29-6, 23, 103, 104, 304, 325)

X Groundwater monitoring plans and reports (see K.A.R. 28-29-111 through 113)

Required for all municipal solid waste landfills, and required for industrial landfills used for disposal of non-inert waste.

Groundwater monitoring plans and reports may be submitted separate from this application form.

X Hydrogeologic Investigation submitted separately.
X Operations plan (see K.A.R. 28-29-23, 108, 308, 325)

X Closure and post-closure plans (see K.A.R. 28-29-12, 121, 304, 321, 325)

X Closure, post-closure, and estimated life worksheets[†]

Application for Solid Waste Landfill Permit

Closure cost estimate worksheets are required for all applications.

Post-closure cost estimate worksheets are required for all new permits, and for significant modifications (or transfers using this form) when the facility includes groundwater monitoring and/or gas monitoring.

Estimated life worksheets are required for all applications involving municipal solid waste landfills.

X Construction quality assurance plan (see K.A.R. 28-29-12, 121, 321, 325, and Policy 00-04)

CQA plans must address construction of waste containment structures (liner/bottom and sides of disposal area, final cover) and permanent controls (storm water control structures, leachate collection systems). CQA plans should specify: responsible parties; types and frequencies of tests and observations; pass/fail criteria; methodology for addressing problems; and CQA report contents (summary of construction activities, representative photographs, field notes, test results, as-built drawings, and P.E. certification that the construction was in accordance with the approved plans (or describe any deviations)). CQA activities should generally conform to U.S. EPA's *Technical Guidance Document: Quality Assurance and Quality Control for Waste Containment Facilities* (EPA/600/R-93/182). CQA plans must be signed and sealed by a Professional Engineer licensed in Kansas.

X Financial assurance† (see K.A.R. 28-29-2101 through 2113)

X Liability insurance certificate (see K.A.R. 28-29-2201)

X Restrictive covenant† (see K.A.R. 28-29-20)

Submit a draft restrictive covenant for Bureau of Waste Management approval prior to filing it with the Register of Deeds.

NA Notices of intent for storm water discharge (see <www.kdhe.state.ks.us/stormwater>) site is

covered by NPDES permit

Other items may be required if necessary to properly evaluate the application and satisfy state statutes, regulations, policies, and standards. Bureau of Waste Management staff will identify any additional requirements during the review process.

VII. Other facility information:

A. Land characteristics (general description)

Site is inactive limestone rock quarry with office, equipment storage and maintenance, asphalt plant and rock stockpiles located to the north.

B. Estimate existing site acreage devoted to the following uses:

Heavily wooded _____
Light brush _____
Grasses or pasture 10
Cultivated _____
Cleared or developed 130

C. Estimated acreage to be cleared no further clearing is required

D. Proposed method of clearing NA

Application for Solid Waste Landfill Permit

M. Population data:

Population served by facility: Now 450,000 Next 10 Years 650,000
 Total area population: Now 150,000 Next 10 years 215,000

N. Distance to center of service area

Average haul distance (miles one way) approx. 15

Characteristics of areas adjacent to major haul routes within one-half mile of the site (residential, commercial, schools, agricultural, etc.)

Highway 69 to the immediate west. Take 167th St. approx. 1/10 mile to east to site entrance.

O. Utilities (indicate whether on-site or nearby)

Water source (example: water main, bottled water, well) City water provided to APAC offices on site.
 Electricity Yes
 Telephone Yes
 Sewer system (example: sanitary, lagoon, septic, privies) Portable toilet on site; restrooms in scale house office & in APAC offices on site.

P. Hours of operation

Days	MON	TUE	WED	THU	FRI	SAT	SUN
Hours	7:30-4	7:30-4	7:30-4	7:30-4	7:30-4	varies	closed

Q. Restrictions

Types of solid waste accepted:

Residential
 Commercial
 Agricultural
 Industrial
 Construction/demolition
 Other

Types of solid waste not accepted (in disposal area):

Putrescible waste
 Construction/demolition waste
 Appliances (if they ever contained refrigerant)
 Electronics
 Asbestos (friable)
 Treated wood (if other than C&D sources)
 Other (specify) _____
 Junked automobiles
 Dead animals
 Street sweepings (testing may be required)
 Tires
 Sewage sludge
 Medical services waste

R. Employees and equipment

Number of employees on site (average daily) 5
 Equipment on site (normal operations) See section O, Operations Manual (Compactor, loader, dozer, water truck, and other equipment if needed.)

Application for Solid Waste Landfill Permit

S. Fire protection available (specify sources)

Water Water truck on site; 2 ponds on site for fire water use; call City of Overland Park as necessary
 Firebreak Weekly cover provides fire break. Equipment can move
 Municipal fire department City of Overland Park additional soil if needed.

T. Tipping fees, other fees

(Optional) List the anticipated tipping fees and other fees (e.g., surcharge for unacceptable waste). These fees are subject to change without notice, at the permittee's discretion.

U. Estimated disposal rates

Parameters	Daily			Annually		
	Number of loads	approx. 50			approx. 13000	
Types of Waste	MSW	Ind.	C&D	MSW	Ind.	C&D
Total tons			380			100000
Total cubic yards			950			250000

V. Proposed post-closure site use(s)

- | | |
|---|---|
| <input type="checkbox"/> Wildlife habitat | <input checked="" type="checkbox"/> Parking |
| <input type="checkbox"/> Recreational | <input type="checkbox"/> Waste management/recycling |
| <input type="checkbox"/> Pasture | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Agricultural | <input checked="" type="checkbox"/> Commercial |
| <input checked="" type="checkbox"/> Storage | <input checked="" type="checkbox"/> Other |

Describe proposed post-closure use(s): Site will be capped & vegetated. The property can be used for light commercial use, equipment parking/storage or sporting activities (golf driving range, soccer field, baseball fields, etc.)

VIII. Notes:

1. Statutes and regulations, policies, technical guidance documents, forms, and other information are available on the Bureau of Waste Management web site <www.kdhe.state.ks.us/waste>.
2. Call the Bureau of Waste Management at (785) 296-1600 and ask to speak with solid waste permitting staff if you have any questions about landfill requirements.
3. Submit three sets of the completed application form and supporting documents to: Kansas Department of Health and Environment, Bureau of Waste Management, 1000 SW Jackson, Suite 320, Topeka, KS 66612-1366.
4. The following steps occur after an application is received by the Bureau of Waste Management:
 - (a) Preliminary evaluation to determine compliance with statutory requirements in K.S.A. 65-3407(c), (d), and (m).
 - (b) Completeness review in accordance with BWM Policy 04-02.
 - (c) Public meeting per BWM Policy 04-02.
 - (d) Technical review to determine compliance with all statutes, regulations, policies, and standards.

Application for Solid Waste Landfill Permit

- (e) Public hearing per K.A.R. 28-29-6a.
- (f) Final decision and processing.

- 5. When a facility receives a permit and begins accepting solid waste for disposal, a \$1.00/ton tonnage fee must be paid to the Kansas Department of Health and Environment. Refer to K.S.A. 65-3415b for rules and exceptions.
- 6. Active facilities must pay an annual permit renewal fee in accordance with K.A.R. 28-29-84. A city, county, or other political subdivision or state agency is exempt from the application and renewal fees.

IX. Applicant's Certification:

I hereby certify that the information in this application and in the supporting documents is true and correct to the best of my knowledge.

Kyle M. Breashears
Signature of Applicant

Kyle M. Breashears
Name (Print or Type)

Feb 17, 2006
Date

President
Title

APAC-Kansas, Inc.
Organization

X. Local Government Certifications:

See next page.

**2. CITY OF OVERLAND PARK CERTIFICATION FOR LAND
USE CONSISTENCY**



8500 Santa Fe Drive
Overland Park, Kansas 66212
913/895-6190 • Fax: 913/895-5013
www.opkansas.org

January 6, 2006

Randy Alewine, P.E.
Sr. Project Manager
The Stinson Environmental Group L.L.C.
13410 Santa Fe Trail Drive, Suite L
Lenexa, KS 66215

**RE: REQUEST FOR CERTIFICATION OF ZONING AND LAND USE
CONSISTENCY FOR APPLICATION FOR SOLID WASTE LANDFILL
PERMIT**

Please find enclosed a copy of the signed Local Government Certifications – Zoning or Land Use Consistency Form that you requested for our review and certification. The original was sent to the Johnson County Environmental Department for their review and certification.

As the landfill was previously determined by the County Legal staff to be a legal, non-conforming land use, and the landowner, Ashland APAC- Kansas, Inc., has verified to us that the “property containing the landfill was owned by APAC-Reno when this property was declared a legal, non-conforming land use by Johnson County,” we have concluded that the application for the Solid Waste Landfill Permit for this property and for this use would remain a legal, non-conforming land use and would not require a Special Use Permit from the City of Overland Park. A copy of the letter received from Ashland APAC- Kansas, Inc. certifying they owned the property in question for several years prior to the previous determination by Johnson County of legal, non-conforming land use status is also enclosed.

Feel free to contact me if you have any questions or need further clarification.



John Rod, AICP
Manager, Community Planning and Services Division
Enclosures

c: Council President George Kandt
Councilmember Dan Stock
Cindy Kemper, Director, Johnson County Environmental Department
John Nachbar, City Manager
Penny Postoak Ferguson, Deputy City Manager
Roger W. Peterson, Director, Planning and Development Services Department
J. Bart Budetti, Sr. Assistant City Attorney
Bob Lindeblad, Manager, Current Planning Division

LOCAL GOVERNMENT CERTIFICATIONS

Applicant's Name _____
 Facility Name _____
 Facility Location _____
 Application Type (new permit, modification, or transfer) _____

As specified in K.S.A. 65-3407 "Permits to construct, alter or operate solid waste processing facilities and solid waste disposal areas", the secretary shall require the following information as part of this application:

Solid Waste Management Plan Consistency

(m)(1) Certification by the board of county commissioners or the mayor of a designated city responsible for the development and adoption of the solid waste management plan for the location where the processing facility or disposal area is or will be located that the processing facility or disposal area is consistent with the plan. This certification shall not apply to a solid waste disposal area for disposal of only solid waste produced on site from manufacturing and industrial processes or from on-site construction or demolition activities.

I certify that, to the best of my knowledge, the facility described in this application is consistent with the Solid Waste Management Plan.

Name (Print or Type) _____ Signature _____
 Title _____ Date _____

County or City _____ Street Address _____ State, Zip Code _____

Zoning or Land Use Consistency

(m)(2) If the location is zoned, certification by the local planning and zoning authority that the processing facility or disposal area is consistent with local land use restrictions or, if the location is not zoned, certification from the board of county commissioners that the processing facility or disposal area is compatible with surrounding land use.

I certify that, to the best of my knowledge, the facility described in this application is consistent with (check one):
 local land use restrictions/zoning or surrounding land use.

ROGER W. Peterson _____ Signature _____
 Name (Print or Type)

Director of Planning and Development _____ 11/3/06 _____
 Title Services Date

City of Overland Park Kansas _____ 8500 Santa Fe Drive O-RKS 66213 _____
 County or City Street Address State, Zip Code

If a special/conditional use permit is required, please attach a copy to this application.

**3. JOHNSON COUNTY COMMISSIONER'S CERTIFICATION
FOR SOLID WASTE MANAGEMENT PLAN CONSISTENCY**

Application for Solid Waste Landfill Permit

LOCAL GOVERNMENT CERTIFICATIONS

Applicant's Name APAC-KS
Facility Name APAC-Reno Construction and Demolition Landfill
Facility Location 7355 W. 162nd Terrace, Overland Park, KS 66283
Application Type (new permit, modification, or transfer) Permit modification for a 32-acre lateral and vertical expansion.

As specified in K.S.A. 65-3407 "Permits to construct, alter or operate solid waste processing facilities and solid waste disposal areas", the secretary shall require the following information as part of this application:

Solid Waste Management Plan Consistency

(m)(1) Certification by the board of county commissioners or the mayor of a designated city responsible for the development and adoption of the solid waste management plan for the location where the processing facility or disposal area is or will be located that the processing facility or disposal area is consistent with the plan.

I certify that, to the best of my knowledge, the facility described in this application is consistent with the Solid Waste Management Plan.

Commissioner Annabeth Surbaugh
Name (Print or Type)

Signature
March 30, 2006
Date

Chairman of the Board
Title

Johnson County 111 S. Cherry Street, #3300 Olathe, KS 66061
County or City Street Address State, Zip Code

Zoning or Land Use Consistency

(m)(2) If the location is zoned, certification by the local planning and zoning authority that the processing facility or disposal area is consistent with local land use restrictions or, if the location is not zoned, certification from the board of county commissioners that the processing facility or disposal area is compatible with surrounding land use.

I certify that, to the best of my knowledge, the facility described in this application is consistent with (check one):
[X] local land use restrictions/zoning or [] surrounding land use.

ROGER W. Peterson
Name (Print or Type)

Signature

Director of Planning and Development
Title Services

11/3/06
Date

City of Overland Park Kansas
County or City

8500 Santa Fe Drive O.R.Ks 66213
Street Address State, Zip Code

If a special/conditional use permit is required, please attach a copy to this application.

Approved 6-0
FILED
MAR 30 2006
CASEY JOE CARL
CLERK OF THE BOARD
JOHNSON COUNTY KANSAS

**ADDENDUM
APAC-RENO CONSTRUCTION & DEMOLITION LANDFILL
CERTIFICATION OF SOLID WASTE MANAGEMENT PLAN CONSISTENCY
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS
JOHNSON COUNTY, KS
March 30, 2006**

This addendum is part of the Board of County Commissioners' certification of solid waste management plan consistency for the APAC-Reno Construction & Demolition Landfill. The addendum is a formal record of the Board's expectation that corrective actions needed to permanently resolve hydrogen sulfide odor and emissions problems at the Landfill will continue on an aggressive and expeditious schedule.