



June 27, 2023

John Martin
Chief Innovation Officer
DTG Recycle
P.O. Box 14203
Mill Creek, WA 98082

RE: YHD Complete Review of DTG Limited Purpose Landfill Renewal Documents (HSW2019-00020).

Dear John Martin,

Yakima Health District (YHD) and Washington State Department of Ecology (Ecology) received an updated renewal application from Ian Sutton, DTG Director of Engineering, on June 2, 2023. YHD and Ecology have completed their review of the submitted renewal application. The review of the permit renewal application is meant to ensure the DTG LPL is designed and operated in compliance with WAC 173-350.

YRCAA CLEAN AIR PERMIT

We previously informed you on March 24, 2022, that you were required to secure an approved permit from the Yakima Regional Clean Air Agency (YRCAA) no later than June 30th, 2023 (See Enclosure 1). As stated in WAC 173-350-040 (3) you are required to *comply with all other applicable local, state, and federal laws and regulations.*

You have not received a clean air permit issued by the YRCAA, as a result you are in violation of the performance standards required by the WAC. As a result, your renewal application is denied.

STORMWATER CONTROL

An adequate stormwater feature is required by WAC 173-350-400 (5)(a)(i), (ii), (iii) to direct stormwater from contaminating waters of the state and neighboring properties. The recent survey conducted of the Northern boundary line shows the existing stormwater feature crosses onto the neighboring property line. DTG LPL must investigate this issue and ensure stormwater runoff from the LPL is not affecting waters of the state or neighboring properties. Until this issue is completely resolved the stormwater feature that exists is not approved. As a result, the renewal application is denied.

SAND & GRAVEL PERMIT

Identified in the June 23rd, 2023, letter from Ecology (Enclosure 2), you are required to obtain a sand and gravel permit from the Dept. of Ecology. As stated in WAC 173-350-040 (3) you are required to *comply with all other applicable local, state, and federal laws and regulations.*

You have not received a sand and gravel permit issued by the Ecology, as a result you are in violation of the performance standards required by the WAC. As a result, your renewal application is denied.

OPERATIONS PLAN

The June 23rd, 2023, letter from Ecology (Enclosure 2) identifies additional concerns over updates and clarification needed on several items that are discussed in the submitted operations plan. The operations plan is not approved. As a result, your renewal application is denied.

YHD cannot provide additional allowance for noncompliance given it is the responsibility of the DTG LPL to ensure all requirements of WAC 173-350 are met. As a result, your renewal application is denied. **The DTG LPL must cease accepting all solid waste effective on July 1, 2023, until all required conditions, as stated above, are approved by YHD.**

This denial will be effective immediately according to WAC 173-350-710 (7)(c). The denial is separate and apart from the continuance of the DTG Material Recovery Facility (MRF). However, residual waste produced by the DTG MRF is not approved to be disposed of in the DTG LPL.

YHD's priority in solid waste is ensuring facilities operate in accordance with the WAC to protect human health and safety and the environment. **Please notify YHD in writing within thirty (30) days of receipt of this letter of the intentions of DTG LPL operators to submit required documents or enter closure of the landfill.** If closure is the decision, DTG LPL is still responsible for completing total closure and post-closure activities as required by law.

If you have any questions, please contact shawn.magee@co.yakima.wa.us or (509) 249-6533.

Sincerely,



Shawn Magee, R.S.
Director of Environmental Health

cc: Washington State Department of Ecology
Yakima Regional Clean Air Authority
Yakima County Planning Division

Enclosures: (1) *Conditional Approval to Fill on the South Side of the Current Active Cell at the DTG Limited Purpose Landfill* from YHD to DTG LPL dated March 24, 2022.
(2) *DTG Yakima Limited Purpose Landfill Permit Renewal and Compliance* from Ecology to YHD.