####-select-&-replace-with-agency-name-&-order-number

**AN ORDER ADDING A SPECIAL MODERNINZING MONITORING PROGRAM MODIFICATION (“GTSO”) TO THE PERMIT OF EACH MSW LANDFILL IN THE STATE**

**WHEREAS:**

1. The ####-select-&-replace-with-agency-name can specify, and modify, the Monitoring and Reporting Program (M&RP) for any given Municipal Solid Waste Landfill (MSW landfill) in the state, via the adoption of that revision in a public meeting pursuant to ####-select-&-replace-with-agency’s-statutory-authority-reference;
2. The landfills that this order addresses are subject to the federal regulations of 40 CFR Part 258 (“Federal Rule”) because they each**:** **a)**have received MSW; **b)**have received any type of waste after 9 October 1993; and **c)**have not closed prior to their respective applicable closure deadline under Federal Rule §258.1(d & e). Therefore, each such landfill is subject to the monitoring requirements in Subpart E of the Federal Rule (§258.50 *et seq.*), the details of which are imposed via the permit for that landfill;
3. ####-select-&-replace-with-state-name achieved “approved state” status to apply the Federal Rule to all MSW landfills within its borders on ####-select-&-replace-with-date-when-approval-published-in-the-Federal-Register, and the ####-select-&-replace-with-agency-name is the agency acting in the capacity of the “Director of an approved state” (federal term) when applying the Federal Rule to those landfills;
4. The USEPA’s **Unified Guidance** (2009) provides modernized approaches, techniques, and test methods to be used in applying the Federal Rule’s monitoring and reporting requirements to an MSW landfill;
5. The Federal Rule provides many allowances to the “Director of an approved state,” most of which allowances have yet to be implemented in this state. It is to the benefit of the people of the state, the landfill Owner/Operators, and this regulatory agency if these federal allowances are implemented, so long as their manner of implementation matches the needs and conditions of the landfill in question;
6. The electronic publication entitled “**The Fix-It Manual**” became available for downloading from $$$$PUT SANITAS WEB PAGE HERE in July 2012. It presents a broad spectrum of interrelated modernizing suggested changes to the Monitoring and Reporting Program (M&RP) part of the permit for an MSW landfill, all of which changes either are in accord with the allowances the Federal Rule provides or meet the goals the Federal Rule is intended to achieve via innovative alternative approaches that do not constitute a violation of that Rule. The result of applying that suite of approaches, in combination, will be lower monitoring cost, higher monitoring efficiency, and the establishment of a ready means for providing electronic compliance tracking and analysis to any interested party for each MSW landfill included under this order;
7. The ####-select-&-replace-with-agency-name finds that the combination of changes presented in The Fix-It-Manual is appropriate for each of the MSW landfills included under this order;
8. The transition to implementing the combination of approaches suggested under The Fix-It Manual is best achieved via the adoption of a landfill-specific “GeoTracker Supra Order (GTSO)” for each MSW landfill herein listed. The GTSO for each such landfill is attached to this order, and is adapted to the specific characteristics of the landfill to which it applies.
9. This order applies to each MSW landfill one of the following three types of GTSO, as appropriate to that landfill**:**
	1. **“ALL-LCRS” —** This GTSO type is designed to apply to an MSW landfill all portions of which are underlain by, or that drain to, a functioning leachate collection and removal system (LCRS);
	2. **“NO-LCRS” —** This GTSO type is designed to apply to an MSW landfill lacking a functioning LCRS; or
	3. **“MIXED” —** This GTSO type is designed to apply to an MSW landfill having at least one portion addressed by a functioning LCRS and at least one portion that does not drain to a functioning LCRS.
10. Pursuant to the application of due diligence, the ####-select-&-replace-with-agency-name has implemented the GTSO at several landfills under a Beta testing approach, and finds that the GTSO, as herein imposed, provides an effective, and cost effective, improvement to monitoring at MSW landfills and that it will provide both agency staff and interested members of the public with near-real-time detailed compliance tracking and analysis information for each MSW landfill included under this order, via access to the GeoTracker Module that the state has established for that purpose.
11. Each respective MSW landfill to which this order applies has the appropriate type of GTSO adjusted to suit that landfill. These GTSO’s are all attached to this order and incorporated by reference therein, and each such landfill’s respective GTSO becomes applicable to it, as an enforceable addendum to the M&RP portion of the permit for that landfill, upon adoption of this order.
12. The ####-select-and-replace-with-agency-name has established a GeoTracker Help Desk website [ ####-select-and-replace-with-Help-Desk-URL ]for the purpose of addressing and resolving any issues or questions posed regarding the use of the GeoTracker Module, including, but not limited to**:** the downloading of desired documents from that Module regarding any landfill having an account in it; the Owner/Operator’s, consultant’s, or laboratory’s uploading of required reports to it; and the use of the data base for obtaining an near-real-time compliance tracking and analysis readout for any client landfill.

**THEREFORE BE IT RESOLVED THAT:**

**I.** Upon adoption of this order, the Owner/Operator for any MSW landfill included under this order shall begin complying with their respective landfill’s GTSO, beginning immediately, as an addendum to the permit M&RP for that landfill, conducting all actions therein listed in accordance with The Fix-It Manual, to which the Owner/Operator shall refer regarding all aspects of how the GTSO applies to their landfill.

**II.** The respective GTSO for each of the following MSW landfills is attached to, and is made applicable by, this order. The GTSO’s are grouped and assigned as follows**:**

**A.** **ALL-LCRS GTSO** — the following landfills are assigned the “ALL-LCRS GTSO” because all portions of the landfill are underlain by, or drain to, a functioning LCRS, meaning an LCRS that collects at least enough leachate for testing purposes**:**

**1.** [####-name-here-as-a-numbered-list-(1.,-2.,-3.,-etc.,-each-on-its-own-line),-the-landfills-having-this-type-of-GTSO-attached,-or-replace-with-“(NONE)”-if-there-are-no-such-landfills.];

**B.** **NO-LCRS GTSO —** the following landfills are assigned the “NO-LCRS GTSO” because they lack a functioning LCRS**:**

**1.** (####-list-here,-as-1.,-2.,-3.,-etc.,-the-landfills-having-this-type-of-GTSO-attached,-or-replace-with-“(NONE)”-if-there-are-no-such-landfills.); and

**C. MIXED GTSO —** the following landfills are assigned the “MIXED GTSO” because they have at least one portion draining to a functioning LCRS and at least one other portion that does not drain to a functioning LCRS**:**

**1.** (####-list-here,-as-1.,-2.,-3.,-etc.,-the-landfills-having-this-type-of-GTSO-attached,-or-replace-with-“(NONE)”-if-there-are-no-such-landfills).

**III.** Upon adoption of this order, the Owner/Operator of each MSW landfill included under this order**:**

A. Shall download the Quick Start Manual [from ####-select-and-replace-with-state’s-GeoTracker-Help-Desk-URL ] and establish their facility’s GeoTracker Module account in accordance with that publication and any additional publications therein named. In establishing the GeoTracker Module account for their facility, when it comes to any Field Point (monitoring location) named in the applicable GTSO (for a given MSW landfill), the Owner/Operator shall assign the same name, for that Field Point as used for it in that GTSO;

B. Shall download The Fix-It Manual (from the URL listed above) and shall implement the GTSO for their landfill in accordance with that manual, beginning with their GTSO’s “Phase-In” portion, while continuing to abide with the rest of the pre-existing M&RP for their landfill as a parallel and concurrent endeavor until the Phase-In work is complete; and, thereafter,

C. Shall implement all applicable portions of the GTSO in lieu of any portion of the M&RP that duplicates, or conflicts with, a requirement in the GTSO for that landfill.

**Attachments** (####-select-&-replace-with-the-total-number-of-GTSO’s-attached)

**CERTIFICATION**

The undersigned, ####-select-&-replace-with-person’s-title, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the ####-select-&-replace-with-agency-name held on ####-select-&-replace-with-adoption-date at ####-select-&-replace-with-location-name.

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 ####-signer’s-name-goes-here

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