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May 4, 2026

Via US Mail and Email

Brenda Binegar
Dept. Of Agriculture and Nat. Resources
523 E. Capitol Avenue
Pierre, SD 57501

Re: In the Matter of the Permit Renewal Application of the City of Rapid City, South Dakota
for the Rapid City Landfill

Dear Ms. Binegar:

Enclosed please find for filing in the above-referenced matter the original of Petitioners Ross Johnson and Fern Johnson's Objections to City's Proposed Modification of Pending Permit's Solid Waste Operations Plan with Attachments, Ex. A and Ex. B. Copies of these documents have also been served upon the parties and Hearing Chair Morris as indicated in the attached Certificate of Service. If you have any questions or require any additional information from me, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Kristi Erdman". The signature is written in a cursive style with a large initial "K".

Kristi Erdman

KWE
Enclosure

CERTIFICATE OF SERVICE

I certify that the original of the foregoing was submitted via US Mail, First Class, Postage Prepaid, and email upon the following on May 4, 2026.

Brenda Binegar
South Dakota Department of Agriculture
and Natural Resources
523 E. Capitol Ave.
Pierre, SD 57501
Brenda.binegar@state.sd.us
Secretary, Board of Minerals and Environment

I certify that on May 4, 2026, a true and correct copy of the foregoing was served via US Mail and email to the following:

Carla Cushman
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/s/ G. Verne Goodsell
G. Verne Goodsell

STATE OF SOUTH DAKOTA
SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF THE PERMIT RENEWAL APPLICATION OF THE CITY OF RAPID CITY, SOUTH DAKOTA FOR THE RAPID CITY LANDFILL	PETITIONERS' OBJECTIONS TO CITY'S PROPOSED MODIFICATION OF PENDING PERMIT'S SOLID WASTE OPERATIONS PLAN
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COME NOW Petitioners Ross Johnson and Fern Johnson by and through their counsel of record, Verne Goodsell, of Goodsell Oviatt Law Firm, and respectfully submit Petitioners' Objections to City's Proposed Modification of Pending Permit's Solid Waste Operations Plan as follows:

1. An April 13, 2026 letter from Mike Theis, City of Rapid City, South Dakota, Public Works Department ("City") was sent via US Mail to Steven Kropp, South Dakota Department of Agriculture and Natural Resources ("DANR") "*clarifying an administrative update*" to the City's Solid Waste Operations Plan for tire waste operations at the City's Solid Waste Facility, with copies sent to Petitioners. See Exhibit A.
2. An April 27, 2026 letter from Kayla Fawcett, DANR Waste Management Administrator, was sent to Mike Theis, City Public Works Director and to the Johnsons, and notes that the

proposed location of the waste tire processing is within boundaries near the Materials Recovery Facility (MRF), but does not address where the current waste and co-composting activities occurring at the MRF and Co-Composting Facility (CCF) will be relocated. See Exhibit B.

3. Petitioners first object to the fact that the City and DANR have corresponded twice with Petitioners directly rather than through counsel in the pending matter.
4. In the April 13, 2026 letter, the City “clarified” that, *instead* of third-party companies transporting waste tires off-site for shredding and processing for recycling and disposal, the process of shredding and processing waste tires would occur *on-site*.
5. This is a significant change of operation relating to the waste tire process from that which the City submitted within its application pending issuance by the DANR requiring an “amendment.”
6. The City’s 4/03/2026 revision to the 2019 Operations Plan-Revised, at p. 23 of Attachment I to Ex. A, does not state this revised change of operation that the City cites within its April 13, 2026 letter to Kropp. Exhibit A.
7. The City states “The proposed tire management activity occurs in an area of the site that has been previously used for municipal solid waste processing including waste shredding in the Materials Recovery Facility and the Co-Compost Facility.” Exhibit A, at p. 2 ¶1.
8. Petitioners object that the City has not provided any information, any updated or revised site plans or designs regarding where the MRF trash-processing operations and CCF co-composting operations will be re-located or how those operations will be kept separate from the waste tire operations proposed to be conducted in the MRF and CCF areas and buildings.

9. The City is prohibited from using the same location for both the current operations and the proposed waste tire operations. The City is required to keep “the dedicated storage and disposal area [for waste tire operations] . . . separate from the garbage disposal area.” ARSD 74:27:13:17.01.
10. Since waste shredding and co-composting operations will have to be relocated within the landfill and potentially the 106 acres (as “other landfill activities or operations,” which the DANR has allowed upon or throughout the 106-acre site in prior permits), the relocation, requiring expansion and construction activities, requires that the amendment process must be complied with. ARSD 74:27:09:05, 03; ARSD 74:27:08:10.
11. Petitioners object because this change of operations and designs of waste storage, processing and disposal operations is a *significant modification* of operational and design plans. This significant modification requires compliance with the amendment process, and shall “reflect any change in operation” ARSD 74:27:09:05. In addition, the application for permit amendments (or renewals) shall include all information required by ARSD 74:27:09:03. The City has ignored and not complied with these Rules, again failing to complete the permit amendment process.
12. A solid waste permit may be amended, but shall specify the requested modification and the reasons for it. “An application to amend a permit for a facility expansion must be submitted to the secretary within 180 days before the proposed date on which construction for the expansion is to begin.” ARSD 74:27:08:10.
13. A “clarification of an administrative update” is not a substitute for following the required amendment process set out in ARSD 74:27:09:05, requiring applications for permit renewals or amendments to *reflect any changes in operations*; and ARSD 74:27:09:03,

requiring specific, extensive and *complete information* as required in the section.

14. The proper amendment process set out in ARSD 74:27:09:03, 05 and ARSD 74:27:08:10 is required for significant modifications of the operations plan and design plans proposed by the City.

Dated this 4th day of May, 2026.

GOODSELL + OVIATT, LLP

BY: /s/ Verne Goodsell

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Rapid City, SD 57709-9249
Tel: (605) 343-3000/Fax: (605) 343-3251

CERTIFICATE OF SERVICE

I certify that the original of the foregoing was submitted via US Mail, First Class, Postage Prepaid, and email upon the following on 4th day of May, 2026:

Brenda Binegar
South Dakota Department of Agriculture
and Natural Resources
523 E. Capitol Ave.
Pierre, SD 57501
Brenda.binegar@state.sd.us
Secretary, Board of Minerals and Environment

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Environment*

/s/ G. Verne Goodsell
G. Verne Goodsell

EXHIBIT A

**4.13.2026 Correspondence from Mike Theis, Public Works Dept,
City of Rapid City to Steven Kropp, DANR**



Public Works Department
300 6th St | Rapid City, SD 57701
605-394-4165 | www.rcgov.org

April 13, 2026

Mr. Steven Kropp, PE
South Dakota Department of Agriculture and Natural Resources
PMB 2020 Joe Foss Building
523 East Capitol Street
Pierre, SD 57501-3182

Re: Rapid City Regional Landfill - Tire Management Clarifications for Operations Plan

Dear Mr. Kropp:

The City of Rapid City (City) and Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) have prepared this letter to clarify an administrative update to the City's Solid Waste Operations Plan for tire management at the City's Solid Waste Facility (Facility).

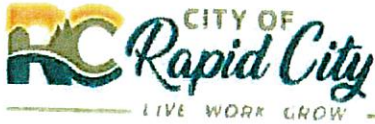
The City's tire management operations has consisted of third party companies mobilizing to the Facility, loading up the stored tires on site, and transporting the tires off site for recycling or disposal at another facility. The City intends to enter an agreement with a third party to shred/process waste tires on-site at the City's Solid Waste Facility prior to the third party hauling the processed tires off-site. Minor clarifications to the City's Operations Plan are included as Attachments 1 and 2, for the 2019 Operations Plan and the 2025 Operations Plan respectively. The proposed minor revisions are redlined in the attached files. The clarifications would not change the Solid Waste Permit language issued by the DANR (Solid Waste Permit Number 20-01A). The Permit language states:

3.14 Waste Tires

Waste tires may be accepted for temporary storage and recycling or burial in a dedicated disposal area if first shredded or quartered. If waste tires are stored or processed, the operator shall adhere to the following requirements as described in ARSD 74:27:13:17.01:

- a. A waste tire pile may not have an area greater than 5,000 square feet or vertical height greater than 10 feet;
- b. Each waste tire pile must be surrounded by a 50-foot fire lane;
- c. Operations involving the use of open flames, blow torches, or highly flammable substances may not be conducted within 300 feet of a waste tire pile;
- d. Waste tire piles must be maintained free of mosquitoes and rodents; and
- e. Storage of waste tires may not exceed one year.

As indicated by the issued permit language for Waste Tires, tires may be temporarily stored and processed. No changes to the permit language are requested or required as part of the proposed clarification for the City's tire management operations. Section 1.09 of the issued Solid Waste Permit states that "DENR-WMP reserves the right to incorporate administrative changes and/or modifications to this permit at any time." That section further notes that administrative changes are authorized for the purposes of changing or correcting "d. Items which do not substantially change the requirements of this permit".



Public Works Department
300 6th St | Rapid City, SD 57701
605-394-4165 | www.rcgov.org

The proposed tire management activity occurs in an area of the site that has been previously used for municipal solid waste processing including waste shredding in the Material Recovery Facility and the Co-Compost Facility. This activity does not affect the 106 acre south property of the Landfill, nor does it relate in any way to issues raised in the current contested case for the Landfill. Additionally, the City has conducted a public process for the approval of the proposed tire management operations including a public hearing for the approval of a Conditional Use Permit No. 25UR036 through the City of Rapid City. No public comments were received, and the CUP was approved.

Delay in implementing the proposed clarifications to the City's tire management operations would result in hardship to the City with increased costs and loss of revenue for waste tire management.

We appreciate DANR's review of this letter. Please feel free to contact Eduardo Lopez, P.E., City of Rapid City, 605-394-4165, for any questions.

Sincerely,

Mike Theis
Public Works Director

Attachments

Attachment 1 – 2019 Operations Plan_Revised

Attachment 2 – 2024 Operations Plan_Revised

cc: **Fern and Ross Johnson**
Stacey Titus - Assistant Public Works Director
Carla Cushman - Interim City Attorney
File

Attachment 1

2019 Operations Plan – Revised

5.0 OPERATIONAL INFORMATION (74:27:13)

In conformance with Administrative Rules of South Dakota (ARSD) 74:27:13, the following section details the Operations Plan of the Rapid City Regional Landfill.

5.01 Operations Plan

5.01.1 Applicability (74:27:13:01)

The City of Rapid City Operates a Type I Municipal Solid Waste Landfill Facility (MSWLF), Material Recovery Facility (MRF), and yard waste composting facility that are subject to the regulations of ARSD 74:27:13.

5.01.2 Supervisory Personnel on Duty (74:27:13:02)

The current hours of operation are 7:00 AM to 4:00 PM, Monday through Saturday. The Landfill is closed on Sunday and most holidays.

Supervisory personnel are normally on-site Monday through Friday during hours of operation. Supervisory personnel are on call and are provided a cell phone for direct contact with operations staff, as necessary. Operations personnel, by their job description, have authority to supervise the essential functions necessary to be in compliance with operations requirements.

5.01.3 Determining Tonnage of Solid Waste Delivered to Facility (74:27:13:03)

The City operates a residential solid waste collection system serving approximately 22,000 residential customers. Commercial waste haulers serve additional residential customers. The City Solid Waste Collection Operations provides weekly pickup of residential MSW, residential recyclables, yard waste and roll off containers serving drop off sites for yard waste and recyclables.

Electronic truck scales are located at the Landfill entrance and are certified by the South Dakota Department of Commerce and Regulation. All incoming and outgoing loads without tare weights are weighed by material type, tonnage, charges, time, hauler, and other details recorded by the scale computer system.

5.01.4 Unloading of Wastes (74:27:13:04)

The unloading of wastes is confined to as small an area as practical for daily operations or is entirely diverted to the MRF if inclement weather conditions exist.

5.01.5 Salvaging (74:27:13:05)

Salvaging is defined as the controlled reclamation of solid waste at a facility. The Landfill's source reduction and recycling plan is described in Section 5.02.2 of this narrative. See Appendix S for the Rapid City Solid Waste Division Litter Control Plan

5.01.6 Litter Control (74:27:13:06)

Litter Control is discussed in the Rapid City Solid Waste Division Litter Control Plan, presented in Appendix S of this Permit Application.

5.01.7 Working Face (74:27:13:07)

Working Face operations are discussed in the Rapid City Solid Waste Division Litter Control Plan, presented in Appendix S of this Permit Application.

5.01.8 Spreading and Compaction (74:27:13:08)

Spreading and Compaction are discussed in the Rapid City Solid Waste Division Litter Control Plan, presented in Appendix S of this Permit Application.

5.01.9 Daily Cover (74:27:13:09)

Daily Cover is discussed in the Rapid City Solid Waste Division Litter Control Plan, presented in Appendix S of this Permit Application.

5.01.10 Completed Landfill Units (74:27:13:10)

Completed landfill units will be closed in accordance with approved closure plans. Closure shall be within 30 days after reaching maximum fill elevations and will be completed within 180 days of initiation of closure. If completion occurs during inclement weather, an intermediate cover may be proposed for approval until final cover and revegetation can be completed.

5.01.11 Open Burning Restrictions (74:27:13:11)

Open burning of MSW is not conducted by Landfill operations. Wood waste is burned on rare occasions to reduce volume and fire risk, but this is not a frequent occurrence. The Rapid City Police Department occasionally incinerates evidence using an incinerator or burns evidence outside the waste placement limits. The RC Police Department burns are conducted in accordance with appropriate regulations. Landfill management will provide timely notification to the DANR Waste Management Program when PD conducts an evidence burn or is scheduling an evidence burn.

Ignition of wastes can be a result of spontaneous combustion, lightning or similar causes and are addressed under the Emergency Response and Remedial Action Plan in Appendix Q.

5.01.12 Equipment (74:27:13:12)

Equipment available for Landfill and material recovery facility operations is listed and described in Appendix O.

5.01.13 Vector Control (74:27:13:13)

Disease vectors are controlled through proper compaction, daily cover, prohibiting scavenging and bird control as appropriate.

5.01.14 Scavenging (74:27:13:14)

Scavenging from the working face of the Landfill or from the MRF tipping floor is strictly forbidden and enforced by policy. See Appendix S for the Rapid City Solid Waste Division Litter Control Plan

5.01.15 Fire Protection Plan (74:27:13:15)

Fire protection is provided by the Rapid City Fire Department and on-site equipment and infrastructure including two water tankers, service line fire hydrants and the con-cover truck. Fire suppression is a team effort with the Rapid City Fire Department using the Incident Command System. Medical emergencies, hazardous materials and similar events are handled under the same arrangement. The compactors, motor grader and yard waste grinder are equipped with on-board automatic fire suppression systems.

5.01.16 Monitoring (74:27:13:16)

Multiple permits cover monitoring, testing and reporting of environmental receptors including groundwater, surface water, waste water, air quality and Landfill gas. Monitoring, testing and reporting is conducted in compliance with current permit regulations. Results of environmental monitoring are reported as required and records kept in the Solid Waste Division main office at the MRF.

5.01.17 Special Wastes and Waste Tires (74:27:13:17)

Conditionally Exempt Small Quantity Generator (CESQG) hazardous waste is received by the Landfill. All known potential CESQG's (as of May 28, 1998) were surveyed. This survey was to determine the types of CESQG waste coming into the Landfill. According to the respondents of this survey, very little CESQG waste is coming into the Landfill. Load inspections and operational observations have shown this is still a valid conclusion. All incoming CESQG hazardous waste is commingled with other non-hazardous waste and incorporated into the working face. All special wastes brought to the attention of the Landfill and MRF management and/or operators are carefully screened prior to acceptance or rejection.

Petroleum Contaminated Soils (PCS) are accepted by the Landfill. A variance (MSW Permit Attachment C) to the Administrative Rules of South Dakota has been approved by the DANR, that allows the Landfill to directly dispose of PCS without prior treatment or remediation. Generators of PCS are required to provide testing results prior to acceptance at the Landfill. The PCS is tested using the Toxicity Characteristic Leaching Procedure (TCLP) to determine if the waste is characteristically hazardous. Waste with TCLP analytical results that are below the Environmental Protection Agency (EPA) "D-list" maximum concentration levels of contaminants for the toxicity characteristic as listed in EPA 40 CFR Part 261 are accepted. Waste with TCLP results above maximum contaminant levels are not accepted, and the Generator is told that it is a hazardous waste and needs to be disposed of at a hazardous waste disposal facility.

Asbestos Containing Material received by the Landfill is disposed of in a separate designated area. The area is marked by a sign stating: "Warning Asbestos Disposal Area." All regulated asbestos is received only with a properly completed waste manifest. Unregulated, non-friable asbestos is received without a manifest but disposed of only in the asbestos pit.

Asbestos is covered with soil within 24 hours of receipt. The operator in charge of covering the asbestos makes sure all debris are covered with soil.

Regulated medical waste is not accepted at the Landfill. Only medical waste that has been rendered non-infectious is accepted for disposal. Non-infectious medical waste is incorporated directly into the working face of the fill and immediately covered to minimize public exposure.

Dead animals are accepted and disposed of at the Landfill and covered with a minimum of six-inches of soil within 24 hours of receipt.

Bulky wastes accepted by the Landfill consist mainly of stumps and large logs.

Revisions: 4/3/26

City of Rapid City

Waste tires are accepted, kept in a separate storage area and processed, loaded into roll-off containers or an enclosed semi-trailer and transported off site by private tire recycling/disposal companies. Additional requirements for waste tires include the following:

- Waste tire piles will be maintained so they will not occupy an area greater than 5,000 square feet or will have a vertical height greater than 10 feet.
- The waste tire pile is accessible on all sides by fire suppression equipment.
- No more than 100,000 passenger car tires or the equivalent weight of other waste tires or tire-derived products are stored on site at any one time.
- Operations involving the use of open flames, blow torches, or highly flammable substances are not conducted within 300 feet of the waste tire pile.
- Waste tire pile storage time is kept to the minimum amount feasible, but is less than one-year.
- Pests in and around waste tire piles are managed and controlled.

Used lead acid batteries are stored in containment boxes and taken to a local recycler for recycling.

Waste oils are accepted on Wednesdays and Saturdays. Waste oil is hauled off site or used in shop furnaces.

Bulk or containerized liquids are not accepted by the Landfill.

Ash is accepted by the Landfill and incorporated into the working face.

Sludge meeting biosolids regulatory requirements is incorporated into the working face of the Landfill. The Rapid City Landfill accepts biosolids meeting regulatory requirements from the Rapid City Water Reclamation Facility. Biosolids handling at the Landfill is regulated under the Biosolids Permit, which is summarized in Appendix J.

Non-hazardous industrial waste is accepted at the Landfill.

Air conditioning and refrigeration equipment is not accepted at the Landfill.

Pesticide containers are accepted in small loads only and are required to be triple rinsed by the customer prior to disposal. Pesticide containers are visually inspected and rejected if pesticide is observed in the containers. Recyclable containers are recycled and non-recyclable containers are handled and disposed of per ARSD 74:27:13:17 (2), ARSD 12:56:02:05 (4), and state and federal solid waste laws. Pesticide containers must be triple rinsed and punctured or crushed prior to disposal at the Rapid City Landfill.

5.01.18 Testing for Hazardous Waste (74:27:13:18)

Waste entering the Landfill is subject to inspection and testing. Questionable or suspicious waste discovered upon entrance is rejected until it is properly characterized and found acceptable. Personnel are trained to conduct load inspections and the procedures to follow.

5.01.19 Screening Waste Received (74:27:13:19)

Any questionable or suspicious waste discovered upon entrance is rejected until it is properly characterized and found acceptable. Personnel are trained to conduct load inspections and the procedure to follow and try to recognize suspicious load contaminants. Load inspection occurs on loads delivered to the MRF. The inspections involve the observations of the sorter and loader operator on the tip floor placing waste on the process conveyors. Additional observation occurs as waste is processed through the MRF conveyor and picking station system. Records of inspection are kept by personnel.

5.01.20 Contingency Plan (74:27:13:20)

The Landfill has a contingency plan outlining procedures to be used during emergencies. The Landfill also has a Spill Response Plan (SRP), the Emergency Response Plan and SRP are attached in Appendix Q.

5.01.21 Training of Personnel (74:27:13:21)

Personnel are trained monthly on aspects of safety, operations and/or procedures pertinent to Landfill and MRF operations. Supervisory personnel are authorized to attend state and national solid waste seminars, conferences, and similar training opportunities. Manager of Landfill Operations (MOLO) certification is recommended for the Superintendent of Solid Waste Operations and Supervisor of Landfill Operations positions. Landfill personnel are trained on standard Landfill operating procedures, load inspections, dealing with unacceptable wastes, customer relations, environmental monitoring, emergency response, equipment operations and other operational requirements.

5.01.22 Recordkeeping (74:27:13:22)

All Solid Waste permanent records are maintained at the MRF office. The following solid waste records are maintained by the Landfill:

- Categories and amounts of solid waste received both monthly and annually, including special wastes.
- Volumes and types of recycling.
- Environmental monitoring, testing, and analytical data are compiled by the Solid Waste environmental monitoring consultant and included in annual reports.
- Testing conducted on waste.
- Filling progression, completion dates, and as-built drawings.
- Details pertaining to open burning are kept on record.
- Landfill Cell closure certification documentation.
- Copies of the Permit Renewal Application, the permit, the operational plan, the Emergency Response Plan, the closure plan, the post-closure care plan, and the financial assurance information are maintained at the facility and are available for DANR review during normal operating hours.

5.01.23 Excavation of Closed Landfill Units (74:27:13:23)

A person may not excavate, disrupt or remove any deposited material from an active or discontinued facility without first notifying DANR in writing for approval. Notification shall include an operational plan stating the areas involved, the reasons for excavation, the lines and grade-defining limits of the excavation, the estimated number of cubic yards of material to be excavated, the solid waste facility where the excavated material will be disposed of, the estimated time required for all the excavation procedures

and reclamation plans. The excavator shall take measures during operation to control erosion, sedimentation, dust, odors, fires, rodents, insects and blowing litter.

No excavations of closed cells are currently planned at the Landfill. All excavation of future extraction wells through previously placed waste must first submit an operation plan, construction drawings and specifications to DANR for approval prior to commencing construction.

5.01.24 Leachate Management (74:27:13:24)

The Landfill installed a leachate collection system in the "Variance Pit" area of the Landfill in 1995. This is one of the areas, approximately 16 acres within the permitted waste placement boundary, that had not received waste before the adoption of Sub-Title D Regulations. This disposal area received a liner, a leachate collection and treatment system and was closed in accordance with regulations in 2004. The leachate from the Variance Pit is transported by a gravity system to the aerated leachate treatment pond constructed in 2018, where leachate is treated, tested and released if necessary, under the City of Rapid City Waste Water Discharge Permit to the Water Reclamation Facility owned and operated by the City.

Leachate from the MRF operations and the DANO® Drums is transported by a gravity system to a lift station and pumped to the leachate pond. Testing and release are under the same permits and requirements as the Variance Pit leachate.

Cell 18 was constructed in 2018 and includes a liner, leachate collection and transport system. This system ties into the previously constructed Variance Pit transport line near the southeast corner of Cell 18. Leachate generated from Cell 18 is then transported to the leachate pond also constructed in 2018. Testing and release are as discussed in the Landfill Surface Water Discharge Permit and the City Industrial Wastewater Discharge Permit.

Cell 16 was constructed with a liner, leachate collection and transport system. Leachate generated from Cell 16 is collected along the southern edge of the cell where the collection system includes a sump and a pump. Leachate is pumped up the cell slope to the west through a pipe where it turns and flows down to the north and eventually enters the City sanitary sewer system in the Catron Boulevard right-of-way. Testing and release are conducted in accordance with the regulations.

In 2010, a leachate removal system was installed immediately downslope (north) of the northeast corner of previously capped Cell 12. This leachate removal system consists of five vertical extraction wells tied into a common horizontal header line which directs collected leachate to a metering vault south of the scale house. The vault is connected to the City sanitary sewer system. Leachate from the vault is discharged to the City sanitary sewer system if necessary. Testing and release are conducted in accordance with the Discharge Permits discussed previously.

Operations in areas that received waste prior to the adoption of Sub-Title D regulations do not have leachate collection systems or Sub-Title D liners. Operations are conducted to maintain the original cover on the old areas. Care is taken to eliminate or minimize infiltration of precipitation and runoff into the old disposal areas, as well as keeping cover of soil over the top of the current disposal areas and managing stormwater to minimize any impact to leachate storage areas.

5.01.25 Stormwater Management (74:27:13:25)

Most of the stormwater drainage at the facility collects in one detention pond on the Landfill property. All stormwater flowing to this pond is tested for compliance with the Surface Water Discharge Permit prior to discharge. Discharges from the detention pond are controlled via manually operated valves. The testing and reporting requirements are outlined in the Surface Water Discharge permit issued by DANR. Discharge monitoring reports are submitted quarterly to DANR.

5.01.26 Methane Gas Monitoring (74:27:13:26)

Methane gas is monitored in all Landfill operation buildings. Quarterly methane monitoring occurs in permanent and temporary monitoring wells and the reporting is included in the annual Environmental Monitoring Report. The Landfill has an DANR Title V Air Quality Permit. This permit outlines the air quality standards and requirements. The Landfill has an active Gas Collection and Control System (GCCS), which consists of 88 vertical gas extraction wells, a series of lateral and header pipes and a 600 standard cubic feet per minute (scfm) enclosed flare. The gas system is monitored on a monthly basis. Each well is checked for pressure, temperature and oxygen levels. Greenhouse gas emissions are reported annually to the EPA and air quality reports are reported to the DANR semi-annually as required.

5.01.27 Variances (74:27:13:27)

Currently, six variances are approved by DANR and are included as attachments in the Solid Waste Operations Permit. A brief summary of the variances is presented below.

Attachment A – Variance to operate the Landfill facility within 1,000 feet of certain facilities. This pertains to South Dakota Highway 79 and Highway 16 right-of-way, the Community Alternatives of the Black Hills facility, Department of Motor Vehicles and Highway Patrol offices, South Dakota Department of Transportation shops and offices, and the South Dakota National Guard shop and offices.

Attachment B – Variance to allow for placement of Alternative Daily Cover. Alternative daily cover materials shall be approved on a case-by-case basis.

Attachment C – Variance to allow receipt of special wastes. Specifically, to allow the acceptance of Petroleum Contaminated Soil (PCS).

Attachment D – Variance to allow alternative liner designs. Liner systems shall be approved on a case-by-case basis.

Attachment E – Variance to allow operation of the Landfill where a 100-year floodplain exists within the boundaries and the operator has never and will never dispose of solid waste within the delineated floodplain.

Attachment F – Variance to allow operation of the Landfill where a wetland exists within the boundaries and the operator shall not disturb, drain, or otherwise destroy or impact any wetland in the permitted area unless a wetland mitigation plan has been approved by appropriate governmental agencies.

5.02 Miscellaneous Information

5.02.1 Fees and Collection Methods

The City operates a residential solid waste collection system serving approximately 22,000 residential customers. Commercial waste haulers serve additional residential customers. The solid waste collection Operations provides weekly pickup of residential curbside MSW, recyclables, and yard waste. Roll off containers serving drop off sites for yard waste and recyclables are also picked up daily by Landfill trucks.

5.02.2 Volume Reduction Methods (74:27:09:03 and SDCL 34A-6-77)

In accordance with South Dakota Codified Law (SDCL) 34A-6-77, documentation of alternatives to landfilling is required for renewal of the Solid Waste Permit. A solid waste facility applicant, in conjunction with all local units of government whose residents, businesses or institutions generate solid waste to be stored or disposed of in the facility, documents that alternative methods of solid waste management other than use of a sanitary landfill have been implemented.

The current Source Reduction and Recycling Plan has been attached as Appendix T.

5.02.3 Dust Control Methods (74:27:09:03)

The City has developed a Fugitive Dust Control Plan which is summarized in Appendix K.

Attachment 2

2024 Operations Plan - Revised

5.0 OPERATIONAL INFORMATION (74:27:13)

In conformance with Administrative Rules of South Dakota (ARSD) 74:27:13, the following section details the Operations Plan of the Rapid City Regional Landfill.

5.01 Operations Plan

5.01.1 Applicability (74:27:13:01)

The City of Rapid City Operates a Type I Municipal Solid Waste Landfill Facility (MSWLF), Material Recovery Facility (MRF), and municipal solid waste and biosolids co-composting facility that are subject to the regulations of ARSD 74:27:13.

5.01.2 Supervisory Personnel on Duty (74:27:13:02)

The current hours of operation are 7:00 AM to 5:30 PM Monday through Saturday, with open gate hours for the customers limited to 7:00 AM to 4:45 PM, Monday through Saturday. The Landfill is closed on Sunday and most holidays.

Supervisory personnel are normally on-site Monday through Friday during hours of operation. Supervisory personnel are on call and are provided a cell phone for direct contact with operations staff, as necessary. Operations personnel, by their job description, have authority to supervise the essential functions necessary to be in compliance with operations requirements.

5.01.3 Determining Tonnage of Solid Waste Delivered to Facility (74:27:13:03)

The City operates a residential solid waste collection system serving approximately 20,510 residential customers. The Solid Waste Collection Operations provides weekly pickup of residential MSW, residential recyclables, yard waste and roll off containers serving drop off sites for yard waste and recyclables.

Electronic truck scales are located at the Landfill entrance and are certified by the South Dakota Department of Commerce and Regulation. All incoming and outgoing loads without tare weights are weighed by material type, tonnage, charges, time, hauler, and other details recorded by the scale computer system.

5.01.4 Unloading of Wastes (74:27:13:04)

The unloading of wastes is confined to as small an area as practical for daily operations or is entirely diverted to the MRF if inclement weather conditions exist.

5.01.5 Salvaging (74:27:13:05)

Salvaging is defined as the controlled reclamation of solid waste at a facility. The Landfill's source reduction and recycling plan is described in Section 5.02.2 of this narrative.

5.01.6 Litter Control (74:27:13:06)

The Landfill incorporates the following litter control management practices as part of site design and operations:

Permanent Boundary Fences

The entire perimeter of the solid waste facility is fenced with chain-link, barbed wire, or other type of fencing. Facilities included in the Attachment A variance and/or on leased property adjacent to the landfill may not have perimeter fencing on the exterior of the leased property.

Approximately 3,700 feet of 20-foot-tall litter control netting is installed along a portion of the eastern and southern solid waste disposal areas; specifically, the east and south boundaries of Cell 12 and the south boundary of Cell 13. A litter control netting project is currently being planned for the northern perimeter of Cell 18 constructed in 2018.

Onsite Secondary Fences

Four-foot woven wire fencing is installed on the eastern perimeter of Cells 13 and 14.

Three to four-foot woven wire fencing is installed south of the main access road to the active waste placement area. This fence helps catch litter being blown off incoming loads from customers.

Eight-foot chain-link fencing is installed around the 24-7 drop-off site located immediately south of the main entrance and the Z-wall or Citizen Campus drop-off area immediately north of the scale house.

Netting is installed in the fences near the oversized/reject truck loading area at the MRF to reduce and control litter lost during loading of reject trucks.

Portable Litter Fences

Twenty-three portable litter control fences, approximately 20 feet wide, 8 feet tall, and 8 feet deep, constructed similar to a soccer goal, are used at the operating face of the Landfill to assist in the control and capture of windblown litter. Landfill operators will position these devices down wind of the working face and move them according to the weather, wind and related factors.

A wind sock or flag is installed near the Landfill working face to allow Landfill operators to determine the wind direction and accurately place portable litter control fences.

Daily Litter Cleanup

A litter inspection is made on a daily basis Monday through Friday.

Litter cleanup is contingent upon weather conditions, field moisture and related conditions. Litter cleanup operations commence as soon as practical and possible. High winds, wet weather or extreme weather conditions may limit or delay litter pick.

Landfill staff and Department of Corrections (DOC) inmates and temporary staffing agencies are the primary source for daily litter cleanup operations. In the event of a significant litter cleanup operation, additional inmates or temporary labor personnel will be requested by the Landfill.

Litter cleanup staff concentrate on picking up off-site litter first and then focus on the on-site litter.

Full time City employees, temporary City employees and other City resources will be used on an as-needed and available basis. Temporary staffing agencies may be used if available.

The Landfill practices being a good neighbor and will address litter debris, not only from Landfill and related operations, but will recover highway litter lost by vehicles utilizing Highway 79 South in the vicinity of the Landfill property.

High Wind Conditions

In the event of high wind conditions (typically sustained winds or gusts in excess of 30 mph), the following will apply:

1. The MRF will not unload oversized/reject material from their operations when high winds are present.
2. Non-commercial vehicles, pickups, cars and similar vehicles hauling material susceptible to wind blowing will be diverted from the Landfill until wind speeds decrease below 30 mph. These loads will be disposed of in a designated area of the Citizen Campus where concrete walls and chain link fencing will minimize windblown litter from escaping.
3. Commercial waste will be diverted to the MRF, on a space available basis, or bunched at the Landfill operating face, pushed and packed immediately and covered with soil if possible.
4. The MRF Supervisor, Solid Waste Superintendent or designee will monitor wind forecasts and develop appropriate plans for utilizing MRF facilities during high wind periods.

Working Face Litter Control (74:27:13:07)

The working face of the Landfill will be operated in such a way to minimize blowing litter due to the prevailing wind direction whenever possible. The working face will be kept to a minimal size to allow for control of litter using the portable litter fences.

Lifts on the Landfill will be placed in a manner to create an area of higher elevation on the upwind side of the active working face, when feasible, which will help to minimize direct wind exposure.

When high wind conditions exist, small load traffic will be directed to the Citizen Campus drop-off area where roll-off bins are placed for disposal. This drop-off area has chain link fencing installed on three sides to minimize windblown litter escaping.

Landfill operators working the active face will minimize the potential for windblown litter by immediately pushing and packing all loads received. The use of alternative daily cover material may be implemented to help

suppress litter and increase compaction efficiency. Alternative daily cover material (Posi-Shell® cover material) may be applied on weekdays. Exposed waste will be protected with the appropriate best management practices when high winds exist or are expected.

On a weekly basis, a six-inch layer of compacted soil will be applied to all active disposal areas of the Landfill receiving MSW.

On a daily basis and at a minimum, approved alternative cover will be applied in sufficient thickness to control disease vectors, fires, odors, blowing litter and scavenging.

Litter collected in the portable litter fences, onsite secondary fences and perimeter fences will be cleaned daily if permitted by weather conditions.

Temporary Storage

The tipping floor of the MRF is and will be used to receive MSW to the maximum extent possible for temporary storage during high wind conditions. The Landfill scale attendant will divert heavier construction or rubble type wastes to the Landfill to save space on the tipping floor for other lighter wastes which are susceptible to wind blowing.

Wind speeds will be monitored by multiple measures including a wind speed indicator installed at the scale house. The Landfill management shall coordinate to determine the appropriate action based on measured wind speed.

5.01.7 Working Face (74:27:13:07)

Generally, the working face is 75 feet wide, but can get up to a maximum of 125 feet wide during peak traffic periods. In accordance with the Litter Control Plan described in Section 5.01.6, during periods of high winds, the working face is reduced to large commercial vehicles and automated dump trailers only. Alternative daily cover is also applied immediately after waste is dumped on the working face.

5.01.8 Spreading and Compaction (74:27:13:08)

Waste at the working face is placed in as thin of lift as feasibly, but in most cases shall be less than two foot thick. The compactor generally operates a minimum of four to five passes per lift over the entire working face, but typically each lift is compacted with more than five passes.

5.01.9 Daily Cover (74:27:13:09)

Daily cover is applied using soil and alternative daily cover as approved by the DENR. An alternative daily cover type product is used at the end of each operating day. A minimum 6-inch soil cover is applied at a minimum once per week. The soil cover is applied to minimize odors, vectors, litter and serves as a fire barrier. Items such as street sweepings, disposed of soil, etc., are used as cover intermittently during daily operations.

5.01.10 Completed Landfill Units (74:27:13:10)

Completed landfill units will be closed in accordance with approved closure plans. Closure shall be within 30 days after reaching maximum fill elevations and will be completed within 180 days of initiation of closure. If completion occurs during inclement weather, an intermediate cover may be proposed for approval until final cover and revegetation can be completed.

5.01.11 Open Burning Restrictions (74:27:13:11)

Open burning of MSW is not conducted by Landfill operations. The Rapid City Police Department occasionally incinerates evidence using an incinerator or burns evidence outside the waste placement limits. The RC Police Department burns are conducted in accordance with appropriate regulations.

Ignition of waste is a result of spontaneous combustion, lightning or similar causes which are addressed under the Emergency Response and Remedial Action Plan in Appendix Q.

5.01.12 Equipment (74:27:13:12)

Equipment available for Landfill and material recovery facility operations is listed and described in Appendix O.

5.01.13 Vector Control (74:27:13:13)

Disease vectors are controlled through proper compaction, daily cover, prohibiting scavenging and bird control as appropriate.

5.01.14 Scavenging (74:27:13:14)

Scavenging from the working face of the Landfill or from the MRF tipping floor is strictly forbidden and enforced by policy and management.

5.01.15 Fire Protection Plan (74:27:13:15)

Fire protection is provided by the Rapid City Fire Department and on-site equipment and infrastructure including two water tankers, service line fire hydrants and the con-cover truck. Fire suppression is a team effort with the Rapid City Fire Department using the Incident Command System. Medical emergencies, hazardous materials and similar events are handled under the same arrangement. The compactors, motor grader and yard waste grinder are equipped with on-board automatic fire suppression systems.

5.01.16 Monitoring (74:27:13:16)

Multiple permits cover monitoring, testing and reporting of environmental receptors including groundwater, surface water, waste water, air quality and Landfill gas. Monitoring, testing and reporting is conducted in compliance with current permit regulations. Results of environmental monitoring are reported as required and records kept in the Solid Waste Division main office at the MRF.

5.01.17 Special Wastes and Waste Tires (74:27:13:17)

Conditionally Exempt Small Quantity Generator (CESQG) hazardous waste is received by the Landfill. All known potential CESQG's (as of May 28, 1998) were surveyed. This survey was to determine the types of CESQG waste coming into the Landfill. According to the respondents of this survey, very little CESQG waste is coming into the Landfill. Load inspections and operational observations have shown this is still a valid conclusion. All incoming CESQG hazardous waste is commingled with other non-hazardous waste and incorporated into the working face. All special wastes brought to the attention of the Landfill and MRF management and/or operators are carefully screened prior to acceptance or rejection.

Petroleum Contaminated Soils (PCS) are accepted by the Landfill. A variance to the Administrative Rules of South Dakota has been approved by the DENR, that allows the Landfill to directly dispose of PCS without prior treatment or remediation.

All known asbestos containing materials received by the Landfill are disposed of in a separate designated area. The area is marked by a sign stating: "Warning Asbestos Disposal Area." All regulated asbestos is received only with a properly completed waste manifest. Unregulated, non-friable asbestos is received without a manifest but disposed of only in the asbestos pit. Asbestos is covered with soil within 24 hours of receipt. The operator in charge of covering the asbestos makes sure all bags and debris are covered with soil.

Regulated medical waste is not accepted at the Landfill. Only medical waste that has been rendered non-infectious is accepted for disposal. Non-infectious medical waste is incorporated directly into the working face of the fill and immediately covered to minimize public exposure.

Dead animals are accepted and disposed of at the Landfill and covered with a minimum of six-inches of soil within 24 hours of receipt.

Bulky wastes accepted by the Landfill consist mainly of stumps and large logs.

Waste tires are accepted, kept in a separate storage area and/or processed, loaded into roll off containers in an enclosed semi-trailer and transported off site by private tire recycling/disposal companies. New Deal Tire of Bismarck, North Dakota.

Used lead acid batteries are stored in containment boxes and taken to a local recycler for recycling.

Waste oils are accepted on Wednesdays and Saturdays. Waste oil is hauled off site or used in shop furnaces.

Bulk or containerized liquids are not accepted by the Landfill. Ash is accepted by the Landfill and incorporated into the working face.

Sludge meeting regulatory requirements is incorporated into the working face of the Landfill. Per DENR, sludge is an accumulated semi-solid mixture of solid wastes, water, oils or other liquids. Sludge materials accepted by the Landfill may include, but not be limited to, wastewater treatment sludge, storm sewer cleanout sludge, street sweepings and sludge from car wash pits. Test results, if applicable, for accepted sludge are kept in the special waste section of the files. Biosolids handling at the Landfill is regulated under the Bio-solids Permit, which is summarized in Appendix J.

Non-hazardous industrial waste is accepted at the Landfill.

Air conditioning and refrigeration equipment is not accepted at the Landfill.

5.01.18 Testing for Hazardous Waste (74:27:13:18)

Waste entering the Landfill is subject to inspection and testing. Questionable or suspicious waste discovered upon entrance is rejected until it is properly characterized and found acceptable. Personnel are trained to conduct load inspections and the procedures to follow.

5.01.19 Screening Waste Received (74:27:13:19)

Any questionable or suspicious waste discovered upon entrance is rejected until it is properly characterized and found acceptable. Personnel are trained to conduct load inspections and the procedure to follow and try to recognize suspicious load contaminants. Load inspection occurs on loads delivered to the MRF. The inspections involve the observations of the sorter and loader operator on the tip floor placing waste on the process conveyors. Additional observation occurs as waste is processed through the MRF conveyor and picking station system. Records of inspection are kept by personnel.

5.01.20 Contingency Plan (74:27:13:20)

The Landfill has a contingency plan outlining procedures to be used during emergencies. The Emergency Response Plan attached in Appendix Q should be referenced.

5.01.21 Training of Personnel (74:27:13:21)

Personnel are trained monthly on some aspect of safety, operations and/or procedures pertinent to Landfill and MRF operations. Supervisory personnel are authorized to attend state and national solid waste seminars, conferences, and similar training opportunities. Manager of Landfill Operations (MOLO) certification is recommended for the Superintendent of Solid Waste Operations, Supervisor of Landfill Operations and Landfill Crew Chief positions. Landfill personnel are trained on standard Landfill operating procedures, load inspections, dealing with unacceptable wastes, customer relations, environmental monitoring, emergency response, equipment operations and other operational requirements. Training is on-going.

5.01.22 Recordkeeping (74:27:13:22)

All Solid Waste permanent records are maintained at the MRF office. Maps and similar documents are also kept at the Department of Public Works, Engineering Division, City of Rapid City, 300 6th Street, Rapid City, South Dakota.

5.01.23 Excavation of Closed Landfill Units (74:27:13:23)

A person may not excavate, disrupt or remove any deposited material from an active or discontinued facility without first notifying DENR in writing for approval. Notification shall include an operational plan stating the areas involved, the reasons for excavation, the lines and grade-defining limits of the excavation, the estimated number of cubic yards of material to be excavated, the solid waste facility where the excavated material will be disposed of, the estimated time required for all the excavation procedures and reclamation plans. The excavator shall take measures during operation to control erosion, sedimentation, dust, odors, fires, rodents, insects and blowing litter.

No excavations of closed cells are currently planned at the Landfill. All excavation of future extraction wells through previously placed waste must first submit an operation plan, construction drawings and specifications to DENR for approval prior to commencing construction.

5.01.24 Leachate Management (74:27:13:24)

The Landfill installed a leachate collection system in the "Variance Pit" area of the Landfill in 1995. This is one of the areas, approximately 16 acres within the permitted waste placement boundary, that had not received waste before the adoption of Sub-Title D Regulations. This disposal area received a liner, a leachate collection and treatment system and was closed in accordance with regulations in 2004. The leachate from the Variance Pit is transported by a gravity system to the aerated leachate treatment pond constructed in 2018, where leachate is treated, tested and released if necessary, under the City of Rapid City Waste Water Discharge Permit to the Water Reclamation Facility owned and operated by the City.

Leachate from the MRF operations and the DANO® Drums is transported by a gravity system to a lift station and pumped to the leachate pond. Testing and release are under the same permits and requirements as the Variance Pit leachate.

Cell 18 was constructed in 2018 and includes a liner, leachate collection and transport system. This system ties into the previously constructed Variance Pit transport line near the southeast corner of Cell 18. Leachate generated from Cell 18 is then transported to the leachate pond also constructed in 2018. Testing and release are as discussed in the Landfill Surface Water Discharge Permit and the City Wastewater Discharge Permit.

Cell 16 was constructed with a liner, leachate collection and transport system. Leachate generated from Cell 16 is collected along the southern edge of the cell where the collection system includes a sump and a pump. Leachate is pumped up the cell slope to the west through a pipe where it turns and flows down to the north and eventually enters the City sanitary sewer system in the Catron Boulevard right-of-way. Testing and release are conducted in accordance with the regulations.

In 2010, a leachate removal system was installed immediately downslope (north) of the northeast corner of previously capped Cell 12. This leachate removal system consists of five vertical extraction wells tied into a common horizontal header line which directs collected leachate to a metering vault south of the scale house. The vault is connected to the City sanitary sewer system. Leachate from the vault is discharged to the City sanitary sewer system if necessary. Testing and release are conducted in accordance with the Discharge Permits discussed previously.

Operations in areas that received waste prior to the adoption of Sub-Title D regulations do not have leachate collection systems or Sub-Title D liners. Operations are conducted to maintain the original cover on the old areas. Care is taken to eliminate or minimize infiltration of precipitation and run-on into the old disposal areas, as well as keeping cover of soil over the top of the current disposal areas and managing stormwater to minimize any impact to leachate storage areas.

5.01.25 Stormwater Management (74:27:13:25)

Most of the stormwater drainage at the facility collects in one detention pond on the Landfill property. All stormwater flowing to this pond is tested for compliance with the Surface Water Discharge Permit prior to discharge. Discharges from the detention pond are controlled via manually operated valves. The testing and reporting requirements are outlined in the Surface Water Discharge permit issued by DENR. Discharge monitoring reports are submitted quarterly to DENR.

5.01.26 Methane Gas Monitoring (74:27:13:26)

Methane gas is monitored in all Landfill operation buildings. Quarterly methane monitoring occurs in permanent and temporary monitoring wells and the reporting is included in the annual Environmental Monitoring Report. The Landfill has an DENR Title V Air Quality Permit. This permit outlines the air quality standards and requirements. The Landfill has an active Gas Collection and Control System (GCCS), which consists of 88 vertical gas extraction wells, a series of lateral and header pipes and a 600 standard cubic feet per minute (scfm) enclosed flare. The gas system is monitored on a monthly basis. Each well is checked for pressure, temperature and oxygen levels. Greenhouse gas emissions are reported annually to the EPA and air quality reports are reported to the DENR semi-annually as required.

5.01.27 Variances (74:27:13:27)

As described in Section 3.03.2, a variance to allow for continued operation near wetlands and floodplains may be determined necessary by DENR.

Currently, four variances are included in the Solid Waste Operations Permit as attachments. A brief summary of the variances is presented below.

Attachment A – Variance to operate the Landfill facility within 1,000 feet of certain facilities. This pertains to South Dakota Highway 79 and Highway 16 right-of-way, the Community Alternatives of the Black Hills facility, Department of Motor Vehicles and Highway Patrol offices, South Dakota Department of Transportation shops and offices, and the South Dakota National Guard shop and offices.

Attachment B – Variance to allow for placement of Alternative Daily Cover. Alternative daily cover materials shall be approved on a case-by-case basis.

Attachment C – Variance to allow receipt of special wastes. Specifically, to allow the acceptance of Petroleum Contaminated Soil (PCS).

Attachment D – Variance to allow alternative liner designs. Liner systems shall be approved on a case-by-case basis.

5.02 Miscellaneous Information

5.02.1 Fees and Collection Methods

The City operates a residential solid waste collection system serving approximately 19,200 residential customers. The solid waste collection Operations provides weekly pickup of residential MSW, residential recyclables, and yard waste. Roll off containers serving drop off sites for yard waste and recyclables are also picked up weekly by Landfill trucks.

5.02.2 Volume Reduction Methods (74:27:09:03 and SDCL 34A-6-77)

In accordance with South Dakota Codified Law (SDCL) 34A-6-77, documentation of alternatives to landfilling is required for renewal of the Solid Waste Permit. A solid waste facility applicant, in conjunction with all local units of government whose residents, businesses or institutions generate solid waste to be stored or disposed of in the facility, documents that alternative methods of solid waste management other than use of a sanitary landfill have been implemented.

Landfill staff conduct daily operations of the facility for the sustainability of the landfill air space and the reduction of landfilled solid waste. The three R's of Reduce, Reuse and Recycle are daily operations goals.

The MRF is the recycling operation sorting point for collected loads of recyclables. Recyclables are collected by residential curbside pickup and at Citizen Municipal drop off sites. The materials collected and separated include aluminum, steel, plastic, glass cardboard and newspaper. After being deposited on the MRF tipping floor the recyclables pass through conveyors, sorting lines and mechanical sorters. The sorted recyclable materials are then baled by the MRF baler system.

Co-composting of MSW and biosolids from the Water Reclamation Facility also starts at the MRF. This process is completed in the co-composting and refining buildings. MSW material is collected and delivered to the tipping floor of the MRF where bulky material is removed. The material then passes through a grinder, conveyor belts and sorting lines for delivery to the DANO® Drums. Biosolids are added to the material at the DANO® drums which breakdown the MSW and biosolids mixture. The resulting product is composted for a minimum of 28 days in an in-vessel composting process. The compost material is then refined to remove any remaining inorganic material. The refined compost is tested prior to being made available for the public. The final product is an organic material for use in landscaping and gardening.

Yard waste composting has been a beneficial process for the community in handling and processing of yard waste. The material is deposited in the yard waste drop off area where a grinder breaks down the material to a manageable size. This ground material is placed in windrows where it is periodically turned until cured. The final product is then screened into two sizes, 3/4 and 3/8 compost, which are sold to the public. The yard waste processing facility also produces wood chips for use as ground cover. The City processes 100% of the yard waste that it receives. This process has been a very effective way of handling waste and creates a marketable reuse for yard waste.

Other materials received for reuse are concrete and asphalt. These materials are stored in a designated area of the facility and stockpiled. Once the desired quantity is obtained, the material is ground and processed. The processed materials are used to build roadways onsite for the Landfill that provide an all-weather surface that greatly reduces fugitive dust emissions.

The Solid Waste Division utilizes a Sustainability Coordinator who conducts public education on initiatives at the Education Center located at the entrance of the Landfill.

Table 5 documents the waste diversion results for the last six years (2013-2018):

Table 5 – Volume Reduction Summary (2013-2018)

Total Incoming Tons	1,006,840
Recycled Tons	14,864
Yard Waste Composted	91,134
Materials Re-Used	270,340
MSW Composted	20,471
Total Tons Diverted	396,809
Percent Diverted	39.4%

5.02.3 Dust Control Methods (74:27:09:03)

The City has developed a Fugitive Dust Control Plan which is summarized in Appendix K.

4.27.2026 Correspondence from Kayla Fawcett, Administrator, DANR Waste Management Program to Mike Theis, Public Works Director, City of Rapid City



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

April 27, 2026

Mike Theis, Public Works Director
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

Dear Mr. Theis:

On April 14, 2026, the Department of Agriculture and Natural Resources (DANR) – Waste Management Program received an electronic copy of the City's request to make an administrative change to the Rapid City Landfill's solid waste permit regarding waste tire management at the Landfill. DANR later received a hard copy of the request. The requested administrative change would allow the City to work with a third party to process/shred waste tires at the Landfill prior to the shredded/process tires being removed offsite. The request also contained updated landfill operations plans that are part of the current landfill permit (permit # 20-01A) and the current permit renewal application.

Our office has reviewed the request in reference to permit conditions 1.09 and 3.14 of the Rapid City landfill solid waste permit. The applicable conditions in permit #20-01A to this request are listed below:

1.09 Administrative Changes Authorized

DANR-WMP reserves the right to incorporate administrative changes and/or modifications to this permit at any time. When an administrative change is made to this permit, DANR-WMP shall notify the operator, in writing, within 10 business days of instituting the change. Administrative changes are authorized for the purposes of changing or correcting:

- a. Typographical errors;*
- b. Regulatory references;*
- c. Titles of organizations or regulatory agencies; or*
- d. Items which do not substantially change the requirements of this permit.*

3.14 Waste Tires

Waste tires may be accepted for temporary storage and recycling or burial in a dedicated disposal area if first shredded or quartered. If waste tires are stored or processed, the operator shall adhere to the following requirements as described in ARSD 74:27:13:17.01:

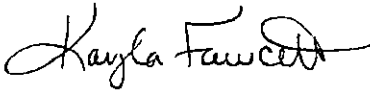
- a. A waste tire pile may not have an area greater than 5,000 square feet or vertical height greater than 10 feet;*
- b. Each waste tire pile must be surrounded by a 50-foot fire lane;*
- c. Operations involving the use of open flames, blow torches, or highly flammable substances may not be conducted within 300 feet of a waste tire pile;*
- d. Waste tire piles must be maintained free of mosquitoes and rodents; and*
- e. Storage of waste tires may not exceed one year.*

DANR views this request as an administrative change to the permit 20-01A that does not substantially change the requirements of the permit as allowed under Section 1.09 of the permit.

Section 3.14 of the solid waste permit already contains permit language regarding the storage or processing of waste tires. The proposed modification would not change any permit language. The proposed location of the waste tire processing is within the permitted boundary near the Materials Recovery Facility. This location is not on or adjacent to the south 106 acres of the landfill's property and does not relate to any of the issues raised in the current contested case hearing proceedings. The current contested case centers around procedural objections to the inclusion of the southernmost 106 acres of landfill property into the Landfill's permit, including inclusion in the pending permit renewal, and objections to the City's activities on the 106 acres and impact of those activities on adjacent property.

Therefore, DANR approves of this administrative change to permit 20-01A regarding waste tire management at the Rapid City landfill. Once the contested case hearing proceedings have been concluded, the operations plan tied to the new permit shall also be updated to reflect this administrative change. If you have any questions, please do not hesitate to contact me at (605) 773-3153.

Sincerely,



Kayla Fawcett, P.E.
Administrator, Waste Management Program

Cc: Stacey Titus, Assistant Public Works Director
Carla Cushman, Interim City Attorney
Fern and Ross Johnson
Steve Blair, General Counsel, DANR