



**OUTER LOOP RECYCLING  
AND DISPOSAL FACILITY**

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March 2, 2020

Louisville Metro Planning and Design Services  
444 South Fourth Street  
Suite 300  
Louisville, Kentucky 40202

**RE: Outer Loop Recycling and Disposal Facility  
Louisville, Jefferson County, Kentucky  
Modified Conditional Use Permit**

To Whom It May Concern:

Waste Management of Kentucky, LLC ("Company") is the owner of property located at 2673 Outer Loop Road in Louisville, Kentucky. The property is subject to an existing conditional use permit (the "Permit") allowing the operation of the Outer Loop Recycling and Disposal Facility ("OLRDF"), a non-hazardous solid waste landfill. The Permit generally allows the OLRDF to operate from 4:00 a.m. to 10:00 p.m. Mondays through Saturdays. On May 6, 2019, the Board of Zoning Adjustment ("BOZA") approved operations 24 hours per day, 7 days per week on a temporary basis during the construction of the liner system (see Docket No. 19CUP1059). The Company is now requesting a modification of the Permit on a permanent basis to (a) expand the hours for normal operations from 4:00 a.m. until 12:00 a.m. (midnight), seven days per week, and (b) to allow activities to be conducted 24 hours per day, 7 days per week, for construction and maintenance, operation of the gas plant, and to accommodate dedicated customers and special events.

General Hours of Operation

The operating hours of the facility, when waste is allowed to be brought to the facility from outside the facility, are posted in accordance with OLRDF's solid waste permit and Kentucky solid waste regulations. The posted summer hours are currently from 5:30 a.m. to 5:00 p.m. Monday through Friday and 6:00 a.m. to 12:00 p.m. on Saturdays; winter hours are slightly shorter. Company landfill operators are typically on-site one to two hours outside of the posted hours to prepare the site in the morning and to cover the waste at the end of the day. Waste is brought to the facility by Company vehicles, other hauling company vehicles, and the general public. The Permit currently allows operations from 4:00 a.m. to 10:00 p.m., Monday through Saturday (see Docket No. B-28-85, approved November 3, 1997). The requested modification would (a) extend the operating hours from 10:00 p.m. to midnight, and (b) add Sunday to the days during which operations are allowed.

Construction and Maintenance

This request will allow the Company to conduct construction activities on a 24/7 basis for cells that are already allowed by the existing Permit and the site's solid waste permit for landfill development (Unit 8 Vertical and Lateral Expansion). Actual disposal operations would not expand beyond those that are authorized by the Permit. BOZA has approved temporary 24/7 construction operations in the

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past (see, for example, Docket No. B-28-85 and 19CUP1059). Cell construction moves at a fast pace and the contractors may often need to expand their work schedules in order to accommodate construction needs resultant from weather impacts and other extenuating circumstances. It is difficult, if not impossible, to forecast when expanded hours will be required for the efficient completion of construction. Expanding the hours for construction activities to a permanent basis, rather than requiring a temporary expansion each and every time the need arises, will enable the Company to complete construction on an expedited basis and reduce the workload for BOZA and planning staff. This request would also allow for the site to have flexibility to accommodate any desired maintenance activities (road repairs, etc.) that would be better conducted during non-business hours.

#### Gas Plant


The modified Permit will also apply to the activities at the on-site gas-to-energy plant. The Company constructed a gas-to-energy plant which started operations in April 2018, as authorized pursuant to the Permit modification approved in Docket No. 17CUP1004. That modification does not restrict the hours of operation, and this request would clarify that the plant is permitted to operate on a 24/7 basis. The high BTU gas plant takes landfill gas at 50 percent methane, processes it to 97.5 percent methane, then transfers the gas directly to a third-party distribution pipeline. The plant is manned on weekdays until approximately 6:00 p.m. and at times outside of this window when the plant requires service to maintain operations.

#### Dedicated Customers and Special Events

From time to time, certain occurrences create the need for waste disposal operations to occur within a timeframe that would exceed standard operating hours, even as expanded as provided above. Some of these occurrences can be anticipated, such as special events like Kentucky State Fair, other Fairgrounds events, Derby weekend, and the like. Others can occur with little or no notice, such as the need to accommodate waste streams from dedicated customers following emergency events (a train derailment, for example) or debris cleanup following a flood. Currently, the Company notifies the Kentucky Department for Environmental Protection and Louisville Metro Air Pollution and Control District when operations have occurred outside of operating hours posted with those bodies. The Company would apply this practice under the modified Permit by providing similar notice to Louisville Metro Planning & Design Services, but would avoid the time, expense, and, most importantly, delays involved in obtaining a temporary modification and/or advance notification of the need to operate outside of the standard operating hours. Advance notification could be provided to Louisville Metro Planning & Design Services when circumstances reasonably permit.

Feel free to contact me at 502-710-0516 or mburnett@wm.com if you have any questions or need further information.

Respectfully Submitted,  
**Waste Management of Kentucky, LLC**

  
Marie Burnett  
Senior District Manager

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