



**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

CERTIFIED MAIL

July 2, 2012

The Dayton Power and Light Company
P.O. Box 468
Aberdeen, OH 45101

RE: Final Permit to Install #06-08445, Carter Hollow Landfill
Issuance Pursuant to Rule 3745-27-02

Dear Sir or Madam:

The Ohio Environmental Protection Agency, pursuant to Ohio Administrative Code Rule 3745-27-02 and the rules adopted thereunder, has reviewed the application for a permit with accompanying detail plans, specifications and/or information (hereinafter referred to as "application") regarding the above-referenced facility. This application has been approved by the Director subject to the conditions of compliance contained in the permit approval enclosed herewith and with all applicable laws, rules and standards. All construction must be supervised by an engineer or expert qualified in such work. Because the permit approval contains conditions of compliance, I urge you to read it carefully.

You are requested to submit within thirty (30) days of the date of issuance of this Permit to Install, the required permit fee balance of seventy-nine thousand six hundred dollars (\$80,000.00 - \$400.00 application fee = \$79,600.00), payable to **Treasurer, State of Ohio**. Please send the required payments to:

Ohio Environmental Protection Agency
Permit to Install Fee
Dept L-2711
Columbus, OH 43260-2711

Payment of the \$79,600.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Appeals Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address:

Environmental Review Appeals Commission
77 South High Street
17th Floor
Columbus, Ohio 43215

If you have any questions, please contact the Ohio EPA District Office to which you submitted your application.

Sincerely,



Georgia Frakes
Management Analyst
Division of Materials and Waste Management

Enclosures: Permit to Install and Invoice

cc: Scott Hester, CO, DSIWM
Craig Walkenspaw, SEDO, DMWM
Amber Finkelstein, PIC
Erin Strouse, PIC
Adams County Health Department

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 06-08445
Application Received: April 8, 2010
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

Applicant: The Dayton Power and Light Company
Address: P.O. Box 468
Aberdeen, Ohio 45101

Facility: Carter Hollow Landfill

Location: The facility is located north of U.S. Route 52 and east of County Road 11 and approximately 1.5 miles northeast of the J.M. Stuart Station near Manchester, Ohio. The facility is within Sprigg Township, Adams County.

Permit: New Residual Solid Waste Landfill

Issuance Date: JUL 02 2012

Effective Date: JUL 02 2012

The above-named entity is hereby issued a permit to install (permit) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed and/or modified in accordance with the plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will operate in compliance with applicable state and federal laws, rules, and regulations, and does not constitute expressed or implied assurances that, if constructed and/or modified in accordance with those plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will be granted the necessary operating permits and/or licenses. This permit is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

I have determined that a lowering of water quality in the Ohio River and the unnamed tributaries to Elk Run, and subsequently Elk Run, is necessary. In accordance with OAC 3745-1-05, this decision was reached only after examining a series of technical alternatives, reviewing social and economic issues related to the degradation, and considering all public and appropriate intergovernmental comments.

Ohio Environmental Protection Agency

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.



Scott J. Nally, Director

By:  Date: 7-2-12

OHIO E.P.A.
JUL - 2 2012
ENTERED DIRECTOR'S JOURNAL

PERMIT SUMMARY

This is a Final permit to install (PTI Number 06-08445) which authorizes construction of the Carter Hollow Landfill (Facility), a new residual solid waste landfill in Adams County. The Dayton Power and Light Company (DP&L) is the applicant for the permit to install.

DP&L proposes to construct a new 73-acre residual solid waste landfill that has a capacity of approximately 15.1 million cubic yards. The anticipated waste receipt at the Facility is 2,300 tons per day. The Facility's anticipated life is 25 years.

The Facility's design includes the following: limited areas requiring up to 5 feet of added geologic material (AGM); 3-foot thick recompacted soil liner (RSL); a leachate collection system; a surface water management system; a ground water monitoring system; and a final closure cap system. The permit also incorporates 15 years of post-closure care and financial assurance for closure and post-closure care.

This permit grants DP&L exemptions from the following rules: OAC Rule 3745-30-07(C)(3)(f)(iv), which requires that leachate pipelines be double-cased outside of the limits of residual solid waste placement; and OAC Rule 3745-30-06(H)(4)(d), which requires that the limits of residual solid waste placement are not located within 200 feet of a stream, lake, or wetland.

This summary is provided solely for informational purposes and does not constitute a part of, or otherwise affect, the attached permit.

PERMIT CONDITIONS

1. The director of the Ohio Environmental Protection Agency (Ohio EPA), or an authorized representative, may enter upon the premises of the above-named applicant (permittee) at any reasonable time during construction and operation for the purpose of making inspections, conducting tests, or examining records or reports pertaining to the construction, modification, or installation of the above-described source of environmental pollutants (residual solid waste disposal facility).
2. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to Ohio EPA which constitute this permit. There shall be no deviation from the approved permit or the permit conditions without the express, written approval of Ohio EPA. Any deviation from the approved permit or the permit conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the Facility will operate in compliance with all Ohio laws and regulations. Additional landfill components shall be installed upon orders of Ohio EPA if the proposed residual solid waste disposal

facility is inadequate or cannot meet applicable standards.

3. Issuance of this permit does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. This permit shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 06-08445 received on April 8, 2010, with subsequent revisions received on October 25, 2010 and February 16, 2011, and with the Hydrogeologic & Geotechnical Site Investigation Report received November 12, 2008.
5. This permit may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-30 applicable to this residual solid waste disposal facility.
6. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-30.
7. Nothing in this permit shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations except as specified herein. This permit shall not be interpreted to release the permittee from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
8. This permit does not authorize the acceptance of any hazardous or infectious wastes.
9. This permit does not authorize the acceptance of any asbestos or asbestos-containing waste material that is subject to the provisions of NESHAP, 40 CFR Part 61, Subpart M. No such asbestos or asbestos-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
10. Not later than seven days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Southeast District Office (SEDO), Division of Materials and Waste Management (DMWM) written notification of the anticipated construction start date so that construction of this Facility can be routinely inspected by Ohio EPA, SEDO, DMWM before the Facility is placed into operation.
11. The permittee shall perform the following activities during construction and operation of the Facility in accordance with the cited provisions of OAC Chapter 3745-30 as

follows:

- a. The test pad required by OAC Rule 3745-30-07(F)(1) shall be constructed, as necessary, and a report containing the test results shall be submitted to Ohio EPA, SEDO, DMWM not later than 14 days prior to the initial construction date of the landfill component that the test pad models. Each lift of the test pad shall be tested for the maximum dry density and optimum moisture content according to ASTM D698-00a (standard proctor) or ASTM D1557-00 (modified proctor), for grain size distribution using ASTM D422-63 (sieve and hydrometer), and for Atterberg limits using ASTM D4318-00. The test methods above shall be performed at least twice for each lift of the test pad.
 - b. The pre-construction tests required by OAC Rule 3745-30-07(D) shall be performed and the test results submitted to Ohio EPA, SEDO, DMWM not later than seven days prior to the intended use of the materials in construction.
12. The permittee shall provide for the following inspections and facility maintenance:
- a. The permittee shall provide for daily inspection of the Facility and completion of the Residual Waste Landfill Daily Log of Operations, Form 3. Written results of the inspections, including any corrective actions taken, shall be made available to Ohio EPA upon request.
 - b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, ditches, and culverts, shall be inspected at least weekly for erosion, clogging, or failure and prompt corrective action shall be taken if necessary. A log documenting inspection results, any corrective actions taken, any water quality samples taken, and the date and weather conditions during any water quality sampling shall be maintained on site and submitted to Ohio EPA, SEDO upon request.
 - c. To ensure proper operation of sedimentation pond(s), the pond(s) shall be cleaned out when the sediment storage volume, as measured at the principal spillway, has reached 60 percent of the height of the principal spillway. This height shall be measured from the base of the sedimentation pond to the inlet elevation of the principal spillway.
13. Protective cover material and granular drainage layer material shall be placed from the bottom of the slope to the top of the slope and not across the slope or down the slope on all slopes that exceed a grade of 15 percent.
14. The permittee shall not use the gravity pipe to convey contact water or leachate from

the contact water/leachate pond to J.M. Stuart Station for treatment until all required authorizations have been obtained.

15. The permittee shall execute and fund a financial assurance instrument meeting the requirements of OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 prior to waste acceptance in any disposal area.

END OF PERMIT CONDITIONS

ORC Section 3734.02(G) Exemption from OAC Rule 3745-30-07(C)(3)(f)(iv)

The permittee has requested an exemption from OAC Rule 3745-30-07(C)(3)(f)(iv), which requires that leachate pipelines within the Facility boundary be double-cased outside of the limits of residual solid waste placement.

After passing through a settling pond and leaving the Facility boundary, the leachate will be transported by conventional single-wall sewer pipeline approximately one mile to the permittee's fly ash management facility. It will discharge to an open perimeter channel there to be treated in their fly ash treatment ponds. An exemption is required to allow the Facility to operate without double-cased leachate pipelines within the Facility boundary.

All leachate pipelines at the Facility are to be SDR-11, solid (non-perforated) HDPE pipe with segments joined by butt-welding or prefabricated couplers. At the time of installation, all pipelines will be pressure tested and visually examined prior to backfilling to verify integrity. The permit application includes adequate factors of safety demonstrations based on pipe strength calculations.

The proposed leachate pipelines will adequately contain and convey leachate in a protective manner outside the limits of residual solid waste placement to the on-site leachate pre-treatment facility and to the offsite leachate treatment facility.

Pursuant to ORC Section 3734.02(G), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid wastes that consist of scrap tires, in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a registration certificate, permit, or license or comply with other requirements of ORC Chapter 3734.

For the reasons noted above, the proposed leachate pipelines will adequately contain and convey leachate in a protective manner outside the limits of solid waste placement, and granting an exemption from OAC Rule 3745-30-07(C)(3)(f)(iv) is unlikely to adversely affect

the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), the permittee is hereby granted an exemption from OAC Rule 3745-30-07(C)(3)(f)(iv), which requires that leachate pipelines be double-cased outside of the limits of solid waste placement. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.

ORC Section 3734.02(G) Exemption from OAC Rule 3745-30-06(H)(4)(d)

The permittee has requested an exemption from OAC Rule 3745-30-06(H)(4)(d), which requires that the limits of solid waste placement are not located within 200 feet of areas determined by Ohio EPA or the United States Army Corps of Engineers to be a stream, lake, or wetland.

Within the Facility's prescribed 300 foot setback facility boundary and 100 feet east of Phase 1's limits of residual waste placement, a 0.09-acre Class 1 Wetland has been delineated. In developing the proposed facility, DP&L has proposed not to disturb this wetland and has excluded its area from the Facility's authorized limits of disturbance. Prior to any construction and throughout the Facility's operations, this wetland will be protected from the accumulation of eroded sediments and partially enclosed by a high-visibility protective fence. Alternatively, the disturbance of this wetland would have required the permitting of offsetting wetland remediation. No other wetlands have been proposed to be impacted by the Facility's development.

Pursuant to ORC Section 3734.02(G), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid wastes that consist of scrap tires, in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a registration certificate, permit, or license or comply with other requirements of ORC Chapter 3734.

For the reasons noted above, locating the limits of residual solid waste placement 100 feet from the 0.09-acre Class 1 Wetland, as proposed in the permit application, and granting an exemption from OAC Rule 3745-30-06(H)(4)(d), is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), the permittee is hereby granted an exemption from OAC Rule 3745-30-06(H)(4)(d), which requires that the limits of residual solid waste placement are not located within 200 feet of areas determined by Ohio EPA or United States Army Corps of Engineers to be a stream, lake, or wetland. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.

Ohio EPA Invoice/Receipt

Date Printed: July 03, 2012

Revenue ID: 882932

Please include this Revenue ID with all correspondence.

Place ID: 296612

Information: DP&L Carter Hollow Landfill
745 US Route 52
Manchester, OH 45144-

Due Date: August 01, 2012

Amount Due: \$79,600.00

Effective Date: July 02, 2012

Revenue Description: DSIWM- Application and Plan Review- PTI Application

Program Name: Solid Waste Programs

Reason: Permit to Install Fee Balance

For some Revenues, Interest and/or Penalties may be charged for late payment.

Next Interest Date (if applicable):

Next Penalty Date (if applicable):

Remittance Advice

Detach Here - Please Return This Portion With Your Payment

Place ID: 296612

Information: DP&L Carter Hollow Landfill
745 US Route 52
Manchester, OH 45144-

Due Date: Aug 01, 2012

Amount Due: \$79,600.00

Secondary Type/Id: /

Revenue Type: APRS2

Amount Enclosed: \$ _____

Please write this number on your check. Revenue ID: 882932

Make check or money order payable to "Treasurer, State of Ohio"

**Remit to: Ohio Environmental Protection Agency - OFA
Department L-2711
Columbus, OH 43260-2711**

For Ohio EPA use only

Check ID: _____

Check Date: _____

Check Number: _____

Check Amount: \$ _____

7960000

APRS2

882932