



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

CERTIFIED

November 8, 2013

Randy Riley, Mayor
City of Wilmington
69 North South Street
Wilmington, OH 45177

**RE: DRAFT Permit to Install # 834830
Wilmington Sanitary Landfill**

Dear Mayor Riley:

The application for a Permit to Install (PTI) with accompanying plans and specifications for the above referenced facility has been reviewed by the staff of the Ohio EPA. It is the recommendation of the staff that the director issue a PTI since your proposal appears to comply with applicable Ohio solid waste rules.

Therefore, enclosed please find a Permit to Install which is being issued to you today in draft form pursuant to Ohio Revised Code Chapter 3734 and the rules adopted thereunder.

A public notice concerning the issuance of this draft Permit to Install will appear in the Wilmington News-Journal newspaper. A public hearing will be held at 6:30 p.m. Tuesday, December 17, 2013, at the Wilmington City Council Chambers, 69 N. South Street, Wilmington, Ohio 45177 in Clinton County. Written comments will be accepted for the director's consideration until Friday, December 27, 2013. The application may be reviewed in accordance with Ohio EPA's file review procedures by contacting Ohio EPA Southwest District Office, 401 E. Fifth Street, Dayton, Ohio 45402, Tel: (937) 285-6357.

Following the close of the public comment period, the director may issue a final Permit to Install upon such terms and conditions as he finds necessary to ensure that the operation of your facility is in accordance with Ohio's solid waste rules.

Randy Riley, Mayor
Wilmington Sanitary Landfill
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Please be advised that the detailed plans which you had submitted with your application will be transmitted with the issuance of the final permit. If you have any questions concerning this draft Permit to Install, please contact the Ohio EPA Southwest District Office at the above address and telephone number.

Sincerely,



Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosures: Draft Permit, Public Notice

cc: Brad Mitchell, DMWM, CO
Scott Hester, DMWM, CO
Darla Peelle, PIC
Michelle Ackenhausen, DMWM, SWDO
Russ Brown, DMWM-SWDO
Greg Brown, DDAGW, SWDO
Craig Osborne, DAPC, SWDO
Matt Johannes, Clinton Co. Health Department

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

Application Number: 834830
Application Received: October 26, 2011
Permit Fee: \$2,972.61
Permit Fee Balance: \$2,572.61

Applicant: City of Wilmington
Address: 69 North South Street
Wilmington, OH 45177

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Facility: Wilmington Sanitary Landfill

Location: The facility is located on the west side of South Nelson Avenue, approximately one-half mile south of State Route 22 at 397 South Nelson Avenue, Clinton County.

Permit: Vertical Expansion

Issuance Date:

Effective Date:

The above-named entity is hereby issued a draft 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.

Ohio Environmental Protection Agency

Scott Nally, Director

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PERMIT SUMMARY

This is a DRAFT permit to install (PTI Number 834830) which, if issued as a final permit, authorizes a vertical expansion of the Wilmington Sanitary Landfill (Facility), an existing municipal solid waste landfill in Clinton County. The city of Wilmington is the applicant for the permit and the owner and operator of the facility.

The vertical expansion will create an additional 297,261 cubic yards of permitted airspace. The Facility will have a total capacity of 1,945,957 cubic yards on a 21-acre footprint. The anticipated life of the Facility will be 3.3 years based on the Facility's authorized maximum daily waste receipt of 195 tons or 14.5 years based on the Facility's anticipated average daily waste receipt of 59 tons.

As with the existing permit, this vertical expansion will incorporate into its construction such features as a composite (recompacted soil and flexible membrane) liner system, a leachate collection system, a surface water management system, a ground water monitoring system, an explosive gas monitoring system, and a final closure cap system. The permit also incorporates 30 years of post-closure care and financial assurance for closure and post-closure care.

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 (municipal 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 plans 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

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- orders of Ohio EPA if the 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 the Facility shown on the plans submitted as part of PTI Application Number 834830 received on October 26, 2011, with subsequent revisions received through September 17, 2013.
 5. This permit approval may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-27 applicable to this municipal 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 3745-27.
 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, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
 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.
 10. Not later than seven (7) days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) and the Clinton County Health Department (CCHD) written notification of the anticipated construction start date so that construction of this Facility can be routinely inspected by Ohio EPA, DMWM, SWDO and CCHD 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 3745-27 as follows:
 - a. The pre-construction tests required by OAC Rule 3745-27-08(D) shall be performed, and the test results submitted to Ohio EPA, DMWM, SWDO not later than seven (7) days prior to the intended use of the materials in construction.
 - b. The pre-construction interface tests required by OAC Rule 3745-27-08(G) shall be performed, and the test results submitted to Ohio EPA, DMWM, SWDO not later than seven (7) days prior to the intended use of the materials in construction.
 - c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, DMWM, SWDO and CCHD not later than forty-five (45) days prior to the anticipated date of waste receipt in newly constructed areas. The permittee shall not accept waste in a phase until Ohio EPA, DMWM, SWDO provides written concurrence of the construction certification report for that phase.

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 Municipal Solid Waste Landfill Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, DMWM, SWDO and CCHD upon request.
 - b. Surface water control structures, including sedimentation basins, sedimentation basin discharge structures, pipes, ditches, and culverts, shall be inspected 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 and submitted to Ohio EPA, DMWM, SWDO or CCHD, upon request.
 - c. To ensure proper operation of the sedimentation basin(s), the basin(s) shall be cleaned out as specified in PTI No. 834830 or when the volume of the settled particles necessitates cleaning based on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(D)(3).

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13. The permittee shall execute and fund a financial assurance instrument or increase the amount listed on the existing financial assurance instrument in accordance with OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 for the current cost estimates of the facility, including the costs for the newly authorized disposal area. Funding shall be completed prior to waste acceptance in any disposal area newly authorized by this permit to install.
14. The permittee shall continue to comply with all existing applicable authorizing actions for the facility. However, the design, construction, operation, closure, and post-closure activities authorized by this permit (PTI Number 834830) as set forth in the plans, specifications and information submitted in the application for this permit and the conditions set forth in this permit, shall take precedence over any conflicting plans, specifications, information, or conditions.

END OF PERMIT CONDITIONS

PUBLIC NOTICE

Clinton County

ISSUANCE OF A DRAFT PERMIT TO INSTALL AND NOTICE OF PUBLIC HEARING

Notice is hereby given that on November 8, 2013, the director of Ohio EPA issued a Draft Permit to Install (#834830) to the City of Wilmington, 69 North South Street, Wilmington, Ohio 45177 in Clinton County. The permit, if issued as a final permit, authorizes a vertical expansion of the Wilmington Sanitary Landfill (Facility) located on the west side of South Nelson Avenue, approximately one-half mile south of State Route 22 at 397 South Nelson Avenue, Wilmington, Ohio 45177. The vertical expansion will create an additional 297,261 cubic yards of permitted airspace. The Facility will have a total capacity at 1,945,957 cubic yards on a 21-acre footprint. The anticipated life of the Facility will be 3.3 years based on the Facility's authorized maximum daily waste receipt of 195 tons or 14.5 years based on the Facility's anticipated average daily waste receipt of 59 tons.

In accordance with Ohio Revised Code ORC) 3734.05, Ohio EPA will provide an opportunity for public comments concerning this project. Comments received shall be considered by the director before the draft action is issued as final. A public hearing has been scheduled for 6:30 p.m. on Tuesday, December 17, 2013, at the Wilmington City Council Chambers, 69 North South Street, Wilmington, Ohio 45177 in Clinton County. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the project. Persons wishing to be on Ohio EPA's interested parties' mailing list for this project or submit comments regarding the draft permit must do so in writing to Ohio EPA, Division of Materials and Waste Management, Processing and Records Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, Tel: (614) 644-2621. Comments must be received by the close of business on Friday, December 27, 2013. Comments received after this date may not be considered as part of the official record of this hearing. Copies of the pending Permit to Install and technical support information may be reviewed and/or copies made at Ohio EPA Southwest District Office, 401 E. Fifth Street, Dayton, Ohio 45402, by first calling (937) 285-6357.