

DRAFT

OHIO ENVIRONMENTAL PROTECTION AGENCY PERMIT-TO-INSTALL

Application Number: 02-15346
Application Received: June 25, 2001
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

Applicant: Browning Ferris Industries of Ohio, Inc.
Address: 43502 Oberlin-Elyria Road
City, State, Zip: Oberlin, Ohio 44074

Name: Lorain County II Landfill
Location: Located in New Russia Township, Lorain County, Ohio which is 2.5 miles northeast of Oberlin, Ohio. Located north and northwest of Oberlin-Elyria Road, south of Butternut Ridge Road, east of Oberlin Road and west of the New Russia-Carlisle Township line.

PTI: Lateral and Vertical Expansion

Issuance Date: August 5, 2002

Effective Date:

The above named entity is hereby issued a permit approval (permit-to-install) for the above described source pursuant to Chapter 3745-31 of the Ohio Administrative Code (OAC). Issuance of this permit approval (permit-to-install) 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 approval (permit-to-Install) is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency

Christopher Jones, Director

PERMIT SUMMARY

This permit approval (PTI Number 02-15346) is an authorization to expand Lorain County II Landfill's approved limits of waste. Browning-Ferris Industries of Ohio (BFIO), Inc., the owner of the facility, proposes a lateral and vertical expansion of the existing municipal solid waste landfill which adds approximately 16.3 million cubic yards of capacity and 5 years of life at the facility's authorized maximum daily waste receipt (AMDWR) of 6,500 tons. At the anticipated gate receipt of 670,000 tons a year, the expansion adds approximately 13.8 years of life to the facility.

The ten-acre lateral expansion connects the non-contiguous northern and southern units of the landfill. The lateral expansion area will include a Best Available Technology (BAT) composite liner and leachate collection system. The 194-acre vertical expansion is proposed over the 269-acre footprint of the landfill. The vertical expansion area includes a 28-acre portion of the 94-acre northern unit and 156 acres of the 175-acre southern unit. The currently unfilled northern unit will be constructed with a BAT liner system and leachate collection system. Waste will be placed on the southern unit liner system over a 63-acre BAT area and a 93-acre non-BAT area. The entire facility has been constructed with a surface water management system, a ground water monitoring system, and an explosive gas monitoring system. This permit approval includes financial assurance for closure and 30 years of post-closure care. The AMDWR will remain at 6,500 tons.

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

PERMIT CONDITIONS

1. The director, 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 proposed source shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the application for this permit to the director. There may be no deviation from the approved plans without the express, written approval of the Ohio Environmental Protection Agency (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 proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio EPA if the proposed solid waste disposal facility is inadequate or cannot meet applicable standards.
3. Issuance of this permit approval does not relieve the applicant of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
 4. In accordance with OAC Rule 3745-31-06(A), this permit approval shall terminate 18 months after its effective date if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. In accordance with OAC Rule 3745-31-06(C), this deadline may be extended by up to 12 months if application is made to the director no less than 60 days prior to the expiration of the 18-month period and the party shows just cause for any such extension.
 5. This approval shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 02-15346, received on June 25, 2001, with subsequent revisions received on March 29, 2002, May 10, 2002, and June 19, 2002.
 6. This permit may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapters 3745-27 and 3745-31 applicable to this municipal solid waste disposal facility.
 7. The permittee shall provide for the proper maintenance and operation of the municipal solid waste disposal facility in accordance with the provisions of OAC Chapter 3745-27.
 8. Nothing in this permit approval shall be interpreted to release the permittee from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code (ORC); 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 laws for remedying conditions resulting from any release of contaminants to the environment.
 9. This permit approval does not include approval for the acceptance of any hazardous or infectious waste, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.

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10. This permit approval does not provide for the acceptance of any asbestos or asbestos-containing 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.
11. Ohio EPA, Northeast District Office (NEDO) and the Lorain County Health Department shall be notified in writing of the construction starting date prior to the start of construction on each of the facility's phases so that construction of this facility can be routinely inspected by Ohio EPA, NEDO and the Lorain County Health Department before the phases are placed in operation.
12. The permittee shall provide for the following inspections and facility maintenance:
 - a. The permittee shall provide for daily inspection of the disposal facility and completion of the daily inspection checklist and the municipal solid waste disposal facility daily log of operations. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, NEDO or the Lorain County Health Department upon request.
 - b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, ditches, and culverts, shall be inspected at least monthly for erosion, clogging, or failure, and prompt corrective action shall be taken if necessary. A log including inspection results, corrective measures, and the date and weather conditions during any water quality sampling shall be maintained and submitted to Ohio EPA, NEDO or the Lorain County Health Department, upon request.
 - c. To ensure proper operation of sedimentation ponds, the ponds shall be cleaned out completely annually, or when the volume of the settled particles necessitates cleaning based either on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(C)(6)(d)(i).
13. 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:
 - a. The test pad required by OAC Rule 3745-27-08(C)(1)(m) shall be constructed and a report containing the test results shall be submitted to Ohio EPA, NEDO no later than 14 days prior to the initial construction date of the landfill component which the test pad models.

- b. The earthen material tests required by OAC Rule 3745-27-08(D) shall be performed and the results submitted to Ohio EPA, NEDO no later than seven days prior to the intended use of the material in construction.
 - c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, NEDO and the Lorain County Health Department no later than 45 days prior to the anticipated date of waste receipt in the newly constructed phases.
- 14. This permit approval will not be issued as a final action until Ohio EPA receives revisions to the phasing plan drawings which include the grades of each completed phase in accordance with OAC Rule 3745-27-06(B)(6)(h).
 - 15. This permit does not authorize leachate recirculation in any disposal areas authorized by this permit. Prior to introduction of recirculated leachate in any disposal areas authorized by this permit, written authorization must be obtained from Ohio EPA.
 - 16. Prior to waste acceptance in any disposal area authorized by this permit approval, 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.
 - 17. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of \$79,600.00 payable to "Treasurer, State of Ohio", shall be submitted to Ohio EPA, Attn: Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049. The fee balance shall be submitted within 30 days of the effective date of this permit approval. Failure to timely submit the required permit fee balance will result in assessment of late penalties in accordance with ORC Sections 3745.11(Q) and (V).

END OF PERMIT CONDITIONS

PUBLIC NOTICE

Lorain County

ISSUANCE OF DRAFT SOLID WASTE PERMIT TO INSTALL AND NOTICE OF PUBLIC HEARING

Notice is hereby given on August 5, 2002, that Ohio EPA issued a draft permit approval to Browning-Ferris Industries of Ohio, Inc., Lorain County II Landfill, 43502 Oberlin-Elyria Road, Oberlin, Ohio 44074. The Permit to Install application (PTI #02-15346) proposes a lateral and vertical expansion of the existing municipal solid waste landfill which adds approximately 16.3 million cubic yards of capacity and 5 years of life at the facility's authorized maximum daily waste receipt (AMDWR) of 6,500 tons. BFI Lorain County II Landfill is located in New Russia Township, Lorain County, Ohio which is 2.5 miles northeast of Oberlin Ohio. A Public Hearing will be held in order to receive comments for the director's consideration on Tuesday, September 17, 2002, beginning at 7:00 p.m., at the Oberlin High School, 281 N. Pleasant St., Oberlin, Ohio 44074. The draft permit may be inspected until September 26, 2002 at the Oberlin Public Library, 65 South Main Street, Oberlin, Ohio 44074-1626, and the Ohio EPA Northeast District Office in accordance with Ohio EPA's file review procedures by writing to Ms. Lily Aaron, Ohio EPA Northeast District Office, 2110 E. Aurora Road, Twinsburg, Ohio 44087, (330) 963-1200. Written comments will be accepted until September 26, 2002. Comments should be sent to: Ohio EPA, Division of Solid and Infectious Waste Management, Attn: Systems Management Unit, P.O. Box 1049, Columbus, Ohio 43216-1049, tel.: (614) 644-2621.