

# OHIO ENVIRONMENTAL PROTECTION AGENCY

## PERMIT TO INSTALL

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Application Number: 06-07779  
Application Received: March 14, 2005  
Permit Fee: \$2,500.00  
Permit Fee Balance: \$2,100.00

Applicant: Rumpke Waste, Inc.  
Address: 10795 Hughes Road  
Cincinnati, Ohio 45251  
Telephone: (513) 851-0122

Facility: Lawrence County Transfer/Recycling Station  
Location: This facility is located on County Road 1A in Hamilton Township, Lawrence County and is approximately 2.8 miles northwest of Hanging Rock, Ohio.

Permit: New Solid Waste Transfer Facility

Issuance Date:

Effective Date:

The above named entity is hereby issued a permit approval (permit-to-install) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit approval 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 is issued subject to the attached conditions which are hereby incorporated and made a part of hereof.

In accordance with Ohio Revised Code (ORC) Section 3734.44, the applicant has exhibited sufficient reliability, expertise, and competency to operate the solid waste facility. This determination is made based upon review of the disclosure statements submitted pursuant to ORC Section 3734.42.

Ohio Environmental Protection Agency

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Joseph P. Koncelik, Director

### **PERMIT SUMMARY**

This permit approval (PTI Number 06-07779) authorizes construction of the proposed Lawrence County Transfer/Recycling Station (Transfer Facility) located in Lawrence County. The Lawrence County Port Authority, under signed purchase option agreement with The Dow Chemical Company, will purchase a 45-acre parcel of land from which Rumpke Waste, Inc. (Rumpke) will lease an 11.5-acre sub-parcel. The Transfer Facility will be constructed on this 11.5-acre parcel of land. Rumpke is the permit applicant and will be the operator of the Transfer Facility, which will be a combined solid waste transfer and material recycling facility.

The Ohio Environmental Protection Agency (Ohio EPA) originally received PTI Application Number 06-07779 on March 14, 2005. Revisions were received on August 15, 2005.

The Transfer Facility will consist of two buildings: the first building will include the tipping floor and transfer trailer tunnel, the material recycling area and loading dock, and a small office area; and the second building will include the facility office, maintenance area, and truck wash station. The Transfer Facility will also include a scale and truck/container parking and storage area. The floor of the Transfer Facility will consist of reinforced concrete, and the finished floor will slope to a collector trench system to be used for containment and control of leachate. The leachate will then be conveyed to a storage tank. The truck wash station will have its own industrial waste water storage tank. Eventually, the leachate and truck wash waste water will be disposed off site at a waste water treatment plant.

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

### **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 (solid waste transfer facility).
2. Issuance of this permit approval does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
3. In accordance with OAC Rule 3745-27-02(I), this permit approval shall terminate

three (3) years after its effective date if the permittee has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation of the Transfer Facility.

4. The proposed facility shall be constructed in strict accordance with the plans, specifications, and information submitted as a part of the application for this permit approval. There may be no deviation from the approved plans 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 proposed facility will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of Ohio EPA if the proposed solid waste transfer facility is inadequate or cannot meet applicable standards.
5. This permit approval shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 06-07779.
6. This permit approval may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-27 applicable to this solid waste transfer facility.
7. The permittee shall provide for the proper maintenance and operation of the solid waste transfer facility in accordance with the provisions of OAC Chapter 3745-27.
8. Nothing in this permit approval shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This permit approval shall not be interpreted to release the permittee from responsibility under 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.
9. This permit approval does not authorize the acceptance of any hazardous or infectious waste, except for those excluded from hazardous waste or infectious waste regulation by ORC Chapter 3734.
10. Ohio EPA, Southeast District Office (SEDO) shall receive written notification of the construction start date no later than seven (7) days prior to starting any construction authorized under this permit approval, so that construction of the Transfer Facility can be routinely inspected by Ohio EPA, SEDO before being placed into operation.
11. This permit approval 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.

12. The permittee shall provide for the following inspections and maintenance of the Transfer Facility:
  - a. The permittee shall provide for daily inspection of the Transfer Facility and completion of the Solid Waste Transfer Facility Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, SEDO upon request.
  - b. Surface water control structures, including catch basins, storm sewers, ditches and storm sewer discharge structures, shall be inspected at least monthly for erosion, clogging, or failure, and prompt corrective action shall be taken if necessary. A log of the written results of the inspections, including a discussion of any corrective actions taken, any water quality samples taken, the date, and weather conditions, shall be maintained on site and submitted to Ohio EPA, SEDO upon request.
13. Prior to waste acceptance at the Transfer Facility, the permittee shall execute and fund a financial assurance instrument meeting the requirements of OAC Rules 3745-27-15 and 3745-27-17.
14. Prior to initiating construction, Rumpke shall obtain the necessary permits and/or authorizations from Ohio EPA's Division of Surface Water for the construction and operation of its proposed solid waste transfer facility.
15. Prior to initiating construction, Rumpke shall obtain the necessary air permits and/or authorizations from Ohio EPA's Division of Air Pollution Control, by application to the Portsmouth Local Air Agency, for the construction and operation of its proposed solid waste transfer facility, in accordance with OAC Rule 3745-31-02.
16. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of two thousand one hundred dollars (\$2,100.00) 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 thirty (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**