

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT - TO - INSTALL

Application Number: 03-15314
Application Received: April 25, 2002
Permit Fee: \$15,129.63
Permit Fee Balance: \$14,729.63 (\$15,129.63 - \$400.00)

Applicant: Evergreen Recycling and Disposal Facility, Inc.
Address: 2625 East Broadway
Northwood, Ohio 43619

Facility: Evergreen Recycling and Disposal Facility

Location: The facility is located at 2625 East Broadway, at the intersection of Wales Road and East Broadway in Lake Township in Wood County.

Permit: Vertical Expansion

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 hereof.

Ohio Environmental Protection Agency

Joseph P. Koncelik, Director

PERMIT SUMMARY

This is the DRAFT version of PTI Number 03-15314, which, if approved, authorizes vertical expansion of the approved limits of waste placement at the existing Evergreen Recycling and Disposal Facility (facility). The facility is located at 2625 East Broadway in the city of Northwood in Wood County, Ohio.

The PTI application proposes a vertical expansion to the upper limits of waste placement in Cells 9A through 13B. The soil plug covering the waste in Cells 9A through 13A, as depicted in the existing PTI, will not be placed as part of the construction of the vertical expansion. The facility is also proposing to expand the lower limits of waste placement in unconstructed Cells 11B through 13B. Additionally, the facility proposes reducing Cell 14's airspace by changing the slope from 2:1 to 3:1.

The proposed vertical expansion will create an additional 1,512,963 cubic yards of permitted airspace on approximately 120 acres of composite lined area. The expansion will also provide additional disposal service for approximately 1.7 years based on an average gate waste receipt of 611,041 tons/year, or 0.5 years based on the authorized maximum daily waste receipt (AMDWR) of 7,500 tons/day. The facility will have an expected life span of fifteen (15) years based on the average gate waste receipt following approval of this PTI.

The facility will have incorporated into its construction such features as a composite (clay/geosynthetic membrane) liner system, a leachate collection and management system, a leachate recirculation system, a ground water monitoring system, an explosive gas extraction system, and a final closure cap system. The permit will provide for thirty (30) years of post-closure care.

Upon FINAL issuance, this permit will grant the applicant an exemption from the OAC Rule 3745-27-06(C)(3)(f)(ii), which requires that information be collected at the site for each stratigraphic unit from the ground surface to the bottom of the uppermost aquifer system (UAS) or to one hundred and fifty (150) feet below the proposed composite liner system, whichever is shallower. The information is then to be included in the site investigation report. The UAS consists of bedrock, and the Facility has collected and included in the hydrogeologic and geotechnical site investigation report information to a depth of sixty-five (65) feet below the landfill liner. Below the uppermost fifteen (15) feet of the UAS, fifty (50) feet of continuous bedrock with consistent physical and hydraulic characteristics was encountered. Because the bedrock is homogeneous to a depth of sixty-five (65) feet, and because the bedrock is not expected to significantly change with depth, collecting information from depths below this elevation is unlikely to provide useful additional data.

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 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 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 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 municipal solid waste disposal facility is inadequate or cannot meet applicable standards.
3. 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.
4. This permit approval shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 03-15314 received on April 25, 2002, with subsequent revisions received through April 22, 2005.
5. The facility's AMDWR shall remain 7,500 tons.
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 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 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 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.

9. Not later than seven (7) days prior to starting any construction authorized under this permit approval, the permittee shall submit to Ohio EPA, Northwest District Office (NWDO) and the Wood County Health Department, if on the Director's approved list, written notification of the anticipated construction start date, so that construction of the facility can be routinely inspected by Ohio EPA, NWDO and the Wood County Health Department, if on the Director's approved list, before being placed into operation.
10. This permit approval 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.
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-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
12. 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 test pad required by OAC Rule 3745-27-08(E) shall be constructed and a report containing the test results shall be submitted to Ohio EPA, NWDO not later than fourteen (14) days prior to the initial construction date of the landfill component which the test pad models.
 - b. The pre-construction tests required by OAC Rule 3745-27-08(D) shall be performed and the test results submitted to Ohio EPA, NWDO not later than seven (7) days prior to the intended use of the materials in construction.
 - c. The pre-construction interface tests required by OAC Rule 3745-27-08(G) shall be performed and the test results submitted to Ohio EPA, NWDO not later than seven (7) days prior to the use of each geosynthetic material authorized by this permit approval.
 - d. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, NWDO and the Wood County Health Department, if on the Director's approved list, not later than forty-five (45) days prior to the anticipated date of waste receipt. Pursuant to OAC Rule 3745-27-19(C)(1), the permittee shall not accept waste in a phase until Ohio

EPA, NWDO provides written concurrence of the construction certification report for that phase.

13. 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 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 and the Wood County Health Department, if on the Director's approved list, upon request.
 - b. Daily records of operation shall be maintained in accordance with OAC Rules 3745-27-19(E)(10) and 3745-27-19(M)(4) and copies made available upon request to Ohio EPA and the Wood County Health Department, if on the Director's approved list. A summary of each month's daily waste receipts, the volume of leachate collected, and the volume of leachate recirculated shall be submitted to Ohio EPA, NWDO and the Wood County Health Department, if on the Director's approved list, by the fifteenth (15th) day of the following month. The summary report shall include the day of the month with the corresponding tonnage of waste received for that day.
 - c. 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. 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 recorded on the required daily log forms. The information shall be maintained on-site and submitted to Ohio EPA, NWDO and the Wood County Health Department, if on the Director's approved list, upon request.
 - d. To ensure proper operation of sedimentation ponds, the ponds shall be cleaned out completely every year or when the volume of settled particles necessitates cleaning based either on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(D)(3).
 - e. The leachate collection system shall be inspected at least yearly, and maintained to prevent blockage or clogging that may impede proper collection of leachate.
14. 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 newly authorized by this permit approval.

15. When determining when final cap system construction is to be initiated, the permittee shall not rely solely on OAC Rule 3745-27-19(H), which requires final cover to be constructed "within seven days of reaching the approved final elevations of waste placement in a phase, or an alternate schedule approved by the director." The disposal facility shall be constructed and filled in accordance with the 6-series drawings submitted as part of the PTI application. Construction of the final cap system shall commence in accordance with these drawings, regardless of whether or not the entire phase has reached final waste elevations.
16. All components of the leachate conveyance system to be located outside the limits of waste placement, including lateral lines from cells 9A through 13B, shall be double-cased as required by OAC Rule 3745-27-08(D)(16). Design and construction of the force main header pipe spanning Cells 9A through 13B shall be completed within one (1) year of issuance of this PTI.
17. OAC Rule 3745-27-06(C)(3)(e) requires that the hydrogeologic investigation report describe and quantify the rate, extent, and concentration of any ground water contamination located under the facility. Before this permit is issued as a final action, the permittee shall quantify the rate, extent, and concentration of contamination at assessment wells MW-22UT, MW-18UT, and MW-19UT, and shall incorporate the information into the hydrogeologic investigation report. Alternatively, the permittee may submit a demonstration to the Director concluding that the contamination is not a result of impact from the facility for wells MW-22UT, MW-18UT, or MW-19UT under OAC Rule 3745-27-10(E)(9). If the permittee receives approval from the Director to return to detection monitoring for all of the aforementioned wells, OAC Rule 3745-27-06(C)(3)(e) shall not be applicable to these wells, unless future contamination is detected. The permittee shall either satisfy the requirements of OAC Rule 3745-27-06(C)(3)(e) or submit and receive approval from the Director to return wells MW-22UT, MW-18UT, and MW-19UT to detection monitoring prior to final permit approval.
18. Unless specifically superseded by this permit approval, the permittee shall comply with the requirements of all previously issued authorizing documents.
19. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of \$14,729.63 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 CONDITIONS

EXEMPTION FROM OAC Rule 3745-27-06(C)(3)(f)(ii)

The permittee has requested an exemption from OAC Rule 3745-27-06(C)(3)(f)(ii), which states, in part:

“Site investigation. A hydrogeologic and geotechnical site investigation report(s), which shall at a minimum include the following:

Information collected at the site for each stratigraphic unit from the surface to the bottom of the uppermost aquifer system or to one hundred and fifty feet below the proposed composite liner system, whichever is shallower. The information will be used to prepare the site investigation report narrative required in paragraph (C)(3)(d) of this rule.”

The applicant has requested an exemption from the requirement to collect information for each stratigraphic unit to the full depth of one hundred and fifty (150) feet. The uppermost aquifer system (UAS) beneath the facility extends to a depth greater than three hundred (300) feet and consists of bedrock below the uppermost (15) feet. The applicant has collected information to a depth of sixty-five (65) feet below the landfill liner, and encountered fifty (50) feet of bedrock. Information collected revealed that the bedrock is physically and hydraulically homogenous. The applicant contends based on the information collected that collecting information from depths below sixty-five (65) feet is unlikely to provide useful additional data because the bedrock is not expected to significantly change with depth. This determination is supported by published authoritative information regarding the thickness and physical characteristics of the bedrock UAS in the area of the facility. Also, additional information would not likely lead to a change or modification of the current ground water monitoring system that has been in place at the facility since 1990.

Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, including scrap tires, from any requirement of ORC Chapter 3734 or any rules adopted thereunder if granting the exemption is unlikely to adversely affect the public health or safety or the environment.

Because the UAS underlying the facility is comprised of bedrock, and because the applicant has collected and included in the hydrogeologic and geotechnical site investigation report information regarding the UAS to a depth of sixty-five (65) feet below the bottom of the proposed composite liner system, and because the thickness and physical characterization of the bedrock UAS is well documented in the area surrounding

the facility, and because the characteristics of the bedrock UAS are unlikely to change significantly beyond the depth from which the information has been collected and included in the permit-to-install application, and because additional information from a boring deeper than sixty-five (65) feet below the proposed composite liner system would unlikely result in changes to the ground water monitoring system currently in place at the facility, granting the applicant an exemption from the requirement of OAC Rule 3745-27-06(C)(3)(f)(ii) to include in the hydrogeologic and geotechnical site investigation report information collected from each stratigraphic unit from the ground surface to the bottom of the UAS or to one hundred and fifty (150) feet below the proposed composite liner system is unlikely to adversely affect the public health or safety or the environment. Therefore, the applicant is hereby exempted, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), from the requirement of OAC Rule 3745-27-06(C)(3)(f)(ii) to collect and include in the hydrogeologic and geotechnical site investigation report information to a depth of one hundred and fifty (150) feet below the proposed composite liner system.