

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

Application Number: 06-07748
Application Received: January 28, 2005
Permit Fee: \$35,346.72
Permit Fee Balance: \$34,946.72

Applicant: Columbus Southern Power, dba American Electric Power
Address: 1 Riverside Plaza
Columbus, Ohio 43215

Name: Conesville Residual Waste Landfill

Location: The facility is located approximately 1,000 feet southeast of the intersection of State Route 83 and Coshocton County Road 275.

Permit: Vertical Expansion, Residual Solid Waste Disposal 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 3745-30-05. 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.

Ohio Environmental Protection Agency

Joseph P. Koncelik, Director

PERMIT SUMMARY

This is a FINAL permit to install (PTI Number 06-07748) which authorizes a vertical expansion of the approved limits of waste placement at the existing Conesville Residual Waste Landfill (Facility) located in Coshocton County. Columbus Southern Power, dba American Electric Power (AEP), is the owner and operator of the Facility and is the applicant for the permit to install.

The Facility currently consists of 99 lined acres for waste disposal and has a permitted capacity of approximately 11,970,000 cubic yards. The PTI application proposes to vertically expand over a 44-acre portion of the Facility. The proposed expansion volume is approximately 3,534,672 cubic yards. Based on this volume and current waste acceptance, the proposed expansion will add 6.0 years to the anticipated life of the Facility. Should an additional scrubber be installed at the Conesville Generating Station, as is being contemplated, the expansion is expected to add 3.7 years to the anticipated life of the Facility.

The Facility's design includes isolation material, a composite (clay/geosynthetic membrane) liner system, 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 will grant the applicant an exemption from OAC Rule 3745-30-14(G), which requires application of intermediate cover to all filled areas of a residual solid waste landfill facility where additional residual solid waste is not to be deposited for at least 180 days.

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

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 proposed facility shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the permit application. 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 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 approval shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 06-07748 as received on January 28, 2005, with subsequent revisions received on December 20, 2005; April 21, 2006; and June 7, 2006.
5. This permit approval 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 residual solid waste disposal 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. 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) and the Coshocton County Health Department written notification of the anticipated

construction start date so that construction of this Facility can be routinely inspected by Ohio EPA, SEDO and the Coshocton County Health Department 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 not later than 14 days prior to the initial construction date of the landfill component that the test pad models.
 - 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 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 disposal facility and completion of the Residual Solid Waste Landfill Facility Inspection Checklist. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA or the Coshocton 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 documenting inspection results, any corrective measures 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 and the Coshocton County Health Department upon request.
 - c. To ensure proper operation of the sedimentation ponds, the ponds shall be cleaned out completely annually, or more frequently as necessary when the volume of the settled particles necessitates cleaning based either on inspection results or to maintain the storage volume required by OAC Rule 3745-30-07(C)(4).
13. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit to install fee balance, in the amount of \$34,946.72 payable to "Treasurer, State of

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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. 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

ORC Section 3734.02(G) Exemption from Intermediate Cover Requirements

The permittee has requested a variance from OAC Rule 3745-30-14(G), which requires application of intermediate cover to all filled areas of a residual solid waste landfill facility where additional residual solid waste is not to be deposited for at least 180 days.

On August 15, 1996, Ohio EPA issued a variance to Columbus Southern Power from the intermediate cover requirements for Phases B and C of the current Facility. This variance was issued after review of documentation showing that flue gas desulfurization (FGD) waste generated at the Conesville Generating Station has low permeability and is resistant to erosion. The permittee has requested that a similar variance from the intermediate cover requirements be granted for Phase D-E-A of the Facility. Ohio EPA considers the exemption authority provided by ORC Section 3734.02(G) and OAC Rule 3745-27-03(G) to be more appropriate for the request.

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 or license or comply with other requirements of ORC Chapter 3734.

Because the FGD waste generated at the Conesville Generating Station has low permeability and is resistant to erosion, and because no adverse impacts are expected to result from the lack of intermediate cover, granting an exemption from OAC Rule 3745-30-14(G) 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 exempted from the requirement of OAC Rule 3745-30-14(G) to apply intermediate cover to all filled areas of a residual solid waste landfill facility where additional residual solid waste is not to be deposited for at least 180 days. This exemption is limited to Phase D-E-A of the Facility.