

**OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT-TO-INSTALL**

Application Number: 06-08419
Application Received: May 12, 2008
Permit Fee: \$2,500.00
Permit Fee Balance: \$2,100.00

Applicant: Kilbarger Construction, Inc.
Address: P.O. Box 946
Logan, Ohio 43138

Name: Meigs County Transfer Station
Location: 34878 Rock Springs Road Pomeroy, Salisbury Township, Meigs County, Ohio

Permit: Expansion Municipal Solid Waste Transfer Facility

Issuance Date:

Effective Date:

The above-named entity is hereby issued a 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

Chris Korleski, Director

PERMIT SUMMARY

This is a **FINAL** permit (PTI Number 06-08419) which authorizes expansion of the waste handling area at the Meigs County Transfer Station located at 34878 Rock Springs Road, Pomeroy, Salisbury Township, Meigs County, Ohio. Kilbarger Construction, Inc. is the applicant for the permit to install.

Kilbarger Construction, Inc. proposes to expand their waste handling area by an area of fifteen (15) feet by thirty-eight (38) feet. The anticipated daily waste receipt at the Facility is sixty (60) cubic yards.

The Facility's design includes a reinforced concrete waste handling floor that will prevent the infiltration of leachate and direct leachate to a leachate holding tank.

This permit grants Meigs County Transfer Station an exemption from OAC Rule 3745-27-22(D), which requires that the waste handling areas of the solid waste transfer facility not be located within two hundred (200) feet of any surface waters of the state. These surface waters are wetlands constructed by the Ohio Department of Transportation after the transfer station was in operation.

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 transfer facility).
2. The proposed facility modification 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 components shall be installed upon orders of Ohio EPA if the proposed municipal solid waste transfer 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 06-08419 as received on May 12, 2008.
5. This permit may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-27 applicable to this municipal solid waste transfer facility.
6. The permittee shall provide for the proper maintenance and operation of the municipal solid waste transfer 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. 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 Meigs 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 Meigs County Health Department before the Facility is placed into operation.
10. 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 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 PERMIT CONDITIONS

ORC Section 3734.02(G) Exemption from OAC Rule 3745-27-22(D)

The permittee has requested an exemption from OAC Rule 3745-27-22(D), which requires that the waste handling areas of the solid waste transfer facility not be located within two hundred (200) feet of any surface waters of the state.

These surface waters are wetlands constructed by the Ohio Department of Transportation as part of a mitigation effort after the transfer station was in operation. Both the Ohio Department of Transportation and Ohio EPA were aware of the transfer station at the time the wetlands were constructed. The expansion will be located on the opposite side of the Facility away from the wetlands constructed by the Ohio Department of Transportation.

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

Because the increased size of the waste handling area (15 feet by 38 feet) at the existing transfer station is minimal and on the opposite side of the transfer facility from the constructed wetlands, granting an exemption from OAC Rule 3745-27-22(D), 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 granted an exemption from OAC Rule 3745-27-22(D), which requires that the waste handling areas of the solid waste transfer facility not be located within two hundred feet of any surface waters of the state. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.