

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 05-14417
Application Received: April 13, 2007
Permit Fee: \$10,921.00
Permit Fee Balance: \$10,521.00

Applicant: Preble County Board of Commissioners
Address: 101 E Main Street
Eaton, OH 45320

Facility: Preble County Sanitary Landfill
Address: 4239 State Route 127 S
Eaton, OH 45320

Location: The facility is located approximately three miles south of Eaton on the west side of State Route 127 S in Gasper Township, Preble County.

Permit: Vertical Expansion

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 draft permit (PTI Number 05-14417) which, if issued as a final permit, authorizes the vertical expansion of the approved limits of waste placement at the Preble County Sanitary Landfill (Facility), an existing municipal solid waste disposal facility located in Preble County. The Preble County Board of Commissioners is the applicant for the permit and the owner and operator of the facility.

The vertical expansion will create an additional 1,092,100 cubic yards of permitted airspace, which increases the total disposal capacity to 4,044,500 cubic yards. The total acreage within the limits of waste placement will be maintained at 48.5 acres. The vertical expansion will extend the landfill's life by an estimated 12.6 to 17.5 years, depending on the amount of waste received at the Facility.

The Facility will have incorporated into its construction such features as a separatory liner system (recompacted clay and geosynthetic membrane), a leachate collection system, a surface water management system, a ground water monitoring system, an explosive gas monitoring system, an explosive gas extraction system, and a final closure cap system. The permit also incorporates 30 years of post-closure care and financial assurance for closure and post-closure care.

This permit grants two exemptions pursuant to Ohio Revised Code (ORC) Section 3734.02(G). The first exemption is from the siting criterion in OAC Rule 3745-27-07(H)(2)(d), which requires that a sanitary landfill facility not be located above an unconsolidated aquifer system capable of sustaining a yield of 100 gallons per minute (gpm) for a 24-hour period to an existing or future water supply well located within 1,000 feet of the limits of solid waste placement of the sanitary landfill facility. The second exemption is from OAC Rule 3745-27-08(C)(3)(d), which requires that leachate collection pipes have a grade of at least 0.5% after accounting for 100% of the primary consolidation settlement and secondary consolidation settlement of the compressible materials beneath the Facility.

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 disposal facility).

2. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the application for this permit. 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 Facility will operate in compliance with all Ohio laws and regulations. Additional components shall be installed upon orders of Ohio EPA if the 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 those facilities shown on the plans submitted as part of PTI Application Number 05-14417 received on April 13, 2007, with subsequent revisions received through August 7, 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 disposal facility.
6. The permittee shall provide for the proper maintenance and operation of the 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 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. 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 under this permit, the permittee shall submit to Ohio EPA, Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) and the Preble

County General Health District (PCGHD) written notification of the anticipated construction start date so that construction of the Facility can be routinely inspected by Ohio EPA, DSIWM, SWDO and PCGHD before being 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 3745-27 as follows:
 - a. The pre-construction tests required by OAC Rule 3745-27-08(D) shall be performed and the test results submitted to Ohio EPA, DSIWM, SWDO not later than seven days prior to the intended use of the materials in construction.
 - b. The pre-construction interface tests required by OAC Rule 3745-27-08(G) shall be performed and the test results submitted to Ohio EPA, DSIWM, SWDO not later than seven days prior to the use of each geosynthetic material authorized by this permit.
 - c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, DSIWM, SWDO and PCGHD not later than 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, DSIWM, SWDO provides written concurrence of the construction certification report for that phase.

12. The permittee shall provide for the following inspections and facility maintenance:
 - a. The permittee shall provide for daily inspection of the Facility and completion of the Municipal Solid Waste Landfill Daily Log of Operations, Form 3. Written results of the inspections, including any corrective actions taken, shall be made available to Ohio EPA or PCGHD 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. Written results of the inspections, including a discussion of any corrective actions taken, any water quality samples taken, and 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 or PCGHD upon request.
 - c. To ensure proper operation of the sedimentation pond(s), the pond(s) shall be cleaned out as necessary when the volume of the settled particles necessitates cleaning based on inspection results or to maintain the

storage volume required by OAC Rule 3745-27-08(D)(3).

13. The permittee shall install ground water monitoring wells AZ-7 and AZ-8, as shown in plan drawing 3B of the permit application, and commence ground water monitoring at wells AZ-7 and AZ-8 in accordance with the ground water monitoring plan not later than 180 days after the effective date of this permit, unless this deadline is extended in writing by Ohio EPA. The permittee may submit a written request for an extension of the 180-day deadline. An extension request shall be submitted prior to the 180-day deadline and shall contain justification for an extension.
14. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit to install fee balance, in the amount of \$10,521.00 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 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

EXEMPTION FROM OAC RULE 3745-27-07(H)(2)(d)

The permittee has requested an exemption from OAC Rule 3745-27-07(H)(2)(d), which requires that a sanitary landfill facility not be located above an unconsolidated aquifer system capable of sustaining a yield of 100 gpm for a 24-hour period to an existing or future water supply well located within 1,000 feet of the limits of solid waste placement of the sanitary landfill facility.

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 low-permeability glacial sediments immediately underlying the Facility and overlying the 100-gpm aquifer system provide protection to the aquifer system from impacts from the Facility, and because 11 years of ground water monitoring indicate no impacts to ground water in the 100-gpm aquifer system have resulted from the Facility, granting an exemption from OAC Rule 3745-27-07(H)(2)(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 exempted from OAC Rule 3745-27-07(H)(2)(d), which requires that a sanitary landfill facility not be located above an unconsolidated aquifer system capable of sustaining a yield of 100 gpm for a 24-hour period to an existing or future water supply well located within 1,000 feet of the limits of solid waste placement of the sanitary landfill facility. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.

EXEMPTION FROM OAC RULE 3745-27-08(C)(3)(d)

The permittee has requested an exemption from OAC Rule 3745-27-08(C)(3)(d) , which requires that leachate collection pipes have a grade of at least 0.5% after accounting for 100% of the primary consolidation settlement and secondary consolidation settlement of the compressible materials beneath the Facility. The exemption has been requested for existing leachate collection pipes in filled areas of phases 2A and 2B. As calculated, these leachate collection pipes will have a grade less than 0.5% after accounting for settlement.

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.

The permit application incorporates a redesign of the leachate collection system to maintain compliance with the requirements of OAC Rule 3745-27-08(C)(3)(c), which limits the leachate head on the liner to a maximum of one foot. Two leachate pump stations and six contingency risers have been added to the design to alleviate any potential leachate accumulation that may occur in the areas with leachate collection pipes that will have a grade less than 0.5%. Because these additional leachate collection system components have been added to the design of the Facility, granting an exemption from OAC Rule 3745-27-08(C)(3)(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 exempted from OAC Rule 3745-27-08(C)(3)(d), which requires that leachate collection pipes have a grade of at least 0.5% after accounting for 100% of the primary consolidation settlement and secondary consolidation settlement of the compressible materials beneath the Facility. This exemption applies only to existing leachate collection pipes in phases 2A and 2B. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.