OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

OHIO E.P.A.
MAR 17 2010
ENTERED DIRECTOR'S JOURNAL

Application Number: 02-23005
Application Received: December 4, 2008
Permit Fee: $ 2,500.00
Permit Fee Balance: $ 2,100.00

Applicant: Central Waste, Inc.
12003 Oyster Road
Alliance, OH 44601

Name: Central Waste Transfer Station
Location: 12009 Oyster Road
Alliance, OH 44601

PTI: New Solid Waste Transfer Facility

Issuance Date: MAR 17 2010

Effective Date: MAR 17 2010

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 of hereof.

Ohio Environmental Protection Agency

Chris Korleski, Director

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: _____ Date: 3-17-10

PERMIT SUMMARY

This Permit to Install (PTI Number 02-23005) (permit), authorizes the construction of a new solid waste transfer facility, known as the Central Waste Transfer Station (Facility), located at 12009 Oyster Road, Smith Township, Mahoning County. Central Waste, Inc. (CWI) is the proposed owner and operator, and is the permit applicant.

The proposed solid waste transfer facility will be an enclosed facility and can accept waste via both rail car and truck. The proposed facility has been designed in accordance with OAC Rule 3745-27-21.

This permit grants CWI a variance from OAC Rule 3745-27-22(D), which prohibits the waste handling areas of the solid waste transfer facility from being located within two hundred feet of any surface waters of the state, as defined in OAC Rule 3745-1-02.

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

PERMIT CONDITIONS

1. In accordance with OAC Rule 3745-27-02(I)(1), this permit-to-install shall terminate three (3) years after its effective date if the owner or operator 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 new facility. In accordance with OAC Rule 3745-27-02(I)(3), this termination date may be extended by up to 12 months if application is made to the director prior to the expiration of the three year period and the party provides justification for any such extension.

2. 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 (solid waste transfer facility).

3. The proposed Facility shall be constructed in strict accordance with the plans, specifications, and information submitted as 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.

4. 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.

5. This permit shall apply only to those facilities shown on the plans submitted as part of PTI application number 02-23005 received on December 4, 2008, with subsequent revisions submitted on April 3, 2009; June 22, 2009; and September 25, 2009.

6. This permit 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 owner or operator shall provide for the proper maintenance and operation of the solid waste transfer facility in accordance with the provisions of OAC Rule 3745-27-23.

8. 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 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. This permit does not authorize the acceptance of any hazardous or infectious waste, except those excluded from hazardous waste or infectious waste regulation by ORC Chapter 3734.

10. 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.

11. This permit does not authorize the acceptance of whole or shredded scrap tires for transfer to a disposal facility unless they are to be transferred to a scrap tire collection, storage, recovery, monocell, or monofill facility licensed in accordance with OAC Chapter 3745-27, or to a licensed solid waste incinerator.

12. This permit does not authorize the acceptance of yard waste, source-separated yard waste, or mixed yard waste for transfer to a disposal facility unless source-separated yard waste will be transferred to a composting facility registered or licensed in accordance with OAC Chapter 3745-27.

13. Ohio EPA, Northeast District Office (NEDO) and the Mahoning County General Health District shall receive written notification of the construction start date not later than seven (7) days prior to starting any construction authorized under this permit so that construction of the Facility can be routinely inspected by Ohio EPA, NEDO and the Mahoning County General Health District before the Facility is placed into

operation.

14. The permittee shall provide for the following inspections and maintenance of the Facility:

    a. The permittee shall provide for daily inspection of the transfer facility and completion of the daily inspection checklist and 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, NEDO and the Mahoning County General Health District upon request.

    b. The leachate collection system shall be inspected and maintained to prevent blockage or clogging that may impede proper collection of leachate.

15. All surface water control structures shall be in place prior to beginning any other construction activities.

16. In accordance with OAC Rule 3745-27-23(Y), CWI shall not accept waste materials to any area of the Facility until all of the following events have occurred:

    a. Site preparations for that area have been completed;

    b. The certification report has been signed by the owner or operator, certifying that the Facility has been constructed in strict compliance with the applicable authorizing document, and submitted to Ohio EPA;

    c. All necessary equipment has been brought to the Facility;

    d. The Facility has been adequately prepared for operation; and

    e. The prepared Facility has been inspected by the Mahoning County General Health District.

17. In accordance with OAC Rule 3745-27-23(Y), the closure financial assurance instrument meeting the requirements of OAC Rule 3745-27-15, shall be executed and funded prior to solid waste acceptance at the facility.

END OF PERMIT CONDITIONS

VARIANCE

The permittee has requested a variance from OAC Rule 3745-27-22(D), which states:

> "The waste handling areas of the solid waste transfer facility are not located within two hundred feet of any surface waters of the state, as defined in rule 3745-1-02 of the Administrative Code."

Specifically, the proposed Facility will be located in an area that lies within 29 feet from a 0.62-acre ORAM Category 2 isolated wetland identified as "Wetland G" and is also located within 146 feet from a 0.25-acre ORAM Category 2 jurisdictional wetland identified as "Wetland D." The proposed transfer station will be housed in a structure built in 2006 as a C&DD Transfer facility.

Wetland G was delineated in a February 23, 2007 report, revised through August 31, 2007. The delineation was concurred with by Ohio EPA on December 26, 2007. Wetland D was delineated in a report that was accepted and approved by the U.S. Army Corps of Engineers on November 28, 2007.

CWI has demonstrated protection of these surface water sources by including in their permit application that typical solid waste acceptance will be plastic-wrapped and baled solid waste as well as bulk C&DD materials, and that waste transfer will occur within an enclosed structure. The leachate collection and storage system has been proposed to be modified to include dual-contained, below-grade leachate piping with a dual-contained sump, and location of the dual-contained, above-ground storage tank to within the waste handling area so that any leakage is readily observable. Both modifications are more stringent that that required under OAC Chapter 3745-27 for solid waste transfer facilities. In addition, the permit application contains an Emergency Action Plan (EAP) which addresses spill contingencies from rail cars staged outside the building as well as any leachate spills from within the building. Municipal solid waste is proposed to arrive as wrapped bales, with bales envisioned to remain intact throughout the transfer process. The facility has an approved storm water pollution prevention plan.

Pursuant to OAC Rule 3745-27-03(C), the Director may grant a variance only if the applicant demonstrates to the Director's satisfaction that construction, operation, and performance of closure activities and/or post-closure activities of the solid waste facility in the manner approved by the variance and any terms or conditions imposed as part of the variance will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of any other requirements of ORC Chapters 3704., 3714., 3734., or 6111., and any rules adopted thereunder.

Because CWI has proposed additional engineering controls, such as the manner by which most waste will be received, dual containment of any leachate, and written spill contingencies, granting a variance from OAC Rule 3745-27-22(D) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to OAC Rule

3745-27-03(C), the permittee is hereby granted a variance from OAC Rule 3745-27-22(D), which requires that the waste handling areas of the solid waste transfer facility are not located within two hundred feet of any surface waters of the state, as defined in OAC Rule 3745-1-02. This variance shall remain in effect throughout the effective period of this permit unless otherwise revoked.

END OF VARIANCE