Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

June 29, 2011

CERTIFIED MAIL

Cherokee Run Landfill, Inc.
2946 U S Route 68 N
Bellefontaine, Ohio 43311

RE: Permit to Install: Cherokee Run Landfill
PTI #664805
Non- Contiguous Lateral Expansion

Dear Sir or Madam:

The Ohio Environmental Protection Agency, pursuant to Ohio Administrative Code Rule 3745-27-02 and the rules adopted thereunder, has reviewed the application for a permit with accompanying detail plans, specifications and/or information (hereinafter referred to as "application") regarding the above-referenced facility. This application has been approved by the Director subject to the conditions of compliance contained in the permit approval enclosed herewith and with all applicable laws, rules and standards. All construction must be supervised by an engineer or expert qualified in such work. Because the permit approval contains conditions of compliance, I urge you to read it carefully.

You are requested to submit within thirty (30) days of the date of issuance of this Permit to Install, the required permit fee balance of seventy-nine thousand, six hundred dollars ($80,000.00 - $400.00 application fee = $79,600.00), payable to ***Treasurer, State of Ohio***. Please send the required payments to:

Ohio Environmental Protection Agency
Permit to Install Fee
Dept L-2711
Columbus, OH 43260-2711

Payment of the $79,600.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Appeals Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of $70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions, please contact the Ohio EPA District Office to which you submitted your application.

Sincerely,

Kathleen Phillips

Kathleen Phillips
Processing and Records Management Unit
Division of Materials and Waste Management

Enclosures: Permit to Install and Invoice

cc: Tracy Buchanan, SWDO, DMWM
Scott Hester, CO, DMWM
Logan County Health District

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

OHIO E.P.A.
JUN 29 2011
ENTERED DIRECTOR'S JOURNAL

Application Number:	664805
Application Received:	August 11, 2008
Permit Fee:	$80,000.00
Permit Fee Balance:	$79,600.00
Applicant:	Cherokee Run Landfill, Inc.
Address:	2946 US Route 68 N Bellefontaine, OH 43311
Facility:	Cherokee Run Landfill
Location:	The facility is located approximately 2 miles north of US Route 33 on the east side of US Route 68N in Rushcreek and Lake Townships.
Permit:	Non-Contiguous Lateral Expansion

Issuance Date: JUN 29 2011

Effective Date: JUN 29 2011

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

Scott J. Nally, 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: [signature] Date: 6-29-11

PERMIT SUMMARY

This is a **FINAL** permit (PTI Number 664805) which authorizes a non-contiguous lateral expansion of the Cherokee Run Landfill (Facility), an existing municipal solid waste disposal facility located in Logan County. Cherokee Run Landfill, Inc. is the owner, operator, and permit applicant for the Facility.

The permit application proposes a non-contiguous lateral expansion with a waste placement area of 94.8 acres and a gross capacity of 18,138,430 cubic yards. The total acreage of the Facility would be 656.4 acres with a capacity of 33,911,101 cubic yards. Based on the Facility's authorized maximum daily waste receipt (AMDWR) of 4,500 tons, the anticipated life of the Facility with the additional proposed capacity is 13.5 years. Based on the average gate receipts, anticipated Facility life with the additional proposed capacity is 20.3 years.

The Facility's design includes a composite (recompacted clay and double geosynthetic membrane) liner system, 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 final permit also includes an exemption from OAC Rule 3745-27-07(H)(2)(d) which prohibits a landfill facility from being 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 within 1000 feet of the limits of solid waste placement.

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 the Facility shown on the plans submitted as part of PTI Application Number 664805 as received on August 11, 2008 with subsequent revisions received on April 7, 2009; February 4, 2010; and September 17, 2010.

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 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. 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 (7) days prior to starting any construction authorized under this permit, the permittee shall submit to Ohio EPA, Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) and the Logan County Health Department (LCHD) written notification of the anticipated construction start date so that construction of this Facility can be routinely inspected by Ohio EPA, SWDO and the LCHD 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 shall be submitted to Ohio EPA, DMWM, SWDO not later than seven (7) 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 shall be submitted to Ohio EPA, DMWM, SWDO not later than seven (7) 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, DMWM, SWDO and LCHD not later than forty-five (45) days prior to the anticipated date of waste receipt in newly constructed areas. Pursuant to OAC Rule 3745-27-19(C)(1), the permittee shall not accept waste in a phase until Ohio EPA, DMWM, 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 LCHD upon request.

    b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, ditches, and culverts, shall be inspected at least weekly 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 measures 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 LCHD upon request.

    c. To ensure proper operation of sedimentation pond(s), the pond(s) shall be cleaned out 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 3745-27-08(D)(3).

13. 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.

14. The permittee shall not alter or modify the portions of the PTI application that establish the design of the double composite liner system and appurtenances. These features shall be installed and constructed as detailed in the PTI drawings and narrative. Additionally, the operation of the secondary containment system shall be conducted as stipulated within Appendix O of the PTI application.

END OF PERMIT CONDITIONS

ORC § 3734.02(G): 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 prohibits a landfill facility from being 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 1000 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 of the presence and thickness of low permeability soils, the lack of a continuous high yield (100 GPM) aquifer system, the lack of historical groundwater impacts from the existing facility, the lack of proximity to existing private wells, the enhanced engineering design, and the groundwater monitoring plan which identifies clusters of monitoring wells at varying depths to provide monitoring of the unconsolidated zones between the proposed landfill and the high yield aquifer, 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 prohibits a landfill facility from being 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 1000 feet of the limits of solid waste placement at the Facility. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.

END OF PERMIT EXEMPTIONS