



CERTIFIED

February 14, 2013

Jerry Ross, Senior District Manager
USA Waste Geneva Landfill, Inc.
4339 Tuttle Road
Geneva, OH 44041

RE: Geneva Landfill
Draft Permit to Install
PTI # 768895

Dear Mr. Ross:

The application for a Permit to Install (PTI) with accompanying plans and specifications for the above referenced facility has been reviewed by the staff of the Ohio EPA. It is the recommendation of the staff that the director issue a PTI since your proposal appears to comply with applicable Ohio solid waste rules.

Therefore, enclosed please find a Permit to Install which is being issued to you today in draft form pursuant to Ohio Revised Code Chapter 3734 and the rules adopted thereunder.

A public notice concerning the issuance of this draft Permit to Install will appear in the Star Beacon, Jefferson Gazette (Jefferson Area), Jefferson Gazette (Geneva/Ashtabula Area), The News, The Courier, and The Tribune newspapers. A public hearing will be held at 6 p.m. on Thursday, March 28, 2013, at the Northwest Ambulance District, 1480 S. Broadway, Geneva, Ohio 44041 in Ashtabula County. Written comments will be accepted for the director's consideration through April 5, 2013. The application may be reviewed in accordance with Ohio EPA's file review procedures by contacting Ohio EPA Northeast District Office, 2110 E. Aurora Road, Twinsburg, Ohio 44087, Tel: (330) 963-1200.

Following the close of the public comment period, the director may issue a final Permit to Install upon such terms and conditions as he finds necessary to ensure that the operation of your facility is in accordance with Ohio's solid waste rules.

Mr. Jerry Ross, Senior Dist. Mgr.
USA Waste Geneva Landfill, Inc.
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Please be advised that the detailed plans which you had submitted with your application will be transmitted with the issuance of the final permit. If you have any questions concerning this draft Permit to Install, please contact the Ohio EPA Northeast District Office at the above address and telephone number.

Sincerely,



Georgia Frakes
Division of Materials and Waste Management

Enclosures: Draft Permit

cc: Brad Mitchell, DMWM, CO
Scott Hester, DMWM, CO
John Hujar, DMWM, NEDO
Ashtabula County Health Department

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

Application Number: 768895
Application Received: July 20, 2010
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

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Applicant: USA Waste Geneva Landfill, Inc.
Address: 4339 Tuttle Road
City, State, Zip: Geneva, Ohio 44041

Facility: Geneva Landfill

Location: 4339 Tuttle Road
Geneva, Ohio 44041

Permit: Vertical and Lateral 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

Scott J. Nally, Director

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PERMIT SUMMARY

This is a DRAFT permit-to-install (PTI Number 768895) which, if approved, authorizes vertical and lateral expansion of the approved limits of waste placement at Geneva Landfill (Facility), an existing municipal solid waste landfill located at 4339 Tuttle Road, Geneva, Ohio 44041 in Ashtabula County. USA Waste Geneva Landfill, Inc. (USA Waste) is the owner, operator, and the PTI applicant. PTI Application Number 768895 was received on July 20, 2010, with the most recent revision received on September 21, 2012.

The Facility was constructed under Permit to Install (PTI) Number 02-226, issued on September 22, 1976 to Doherty Landfill, Inc.. PTI Number 02-2940 was issued on May 6, 1991 and Director's Findings and Orders were issued on July 9, 1992 for an approved contiguous vertical and lateral expansion. The Facility is currently being operated under PTI Number 02-11359, issued on August 13, 2002. The current permitted limits of waste placement encompass approximately 48.6 acres, a portion of which is lined. The permit application proposes a lateral expansion of 69.7 acres and a vertical expansion of 5.8 acres over a lined portion of the existing Facility. The Facility includes the closed unit that originally operated as Doherty Landfill. This PTI will result in the removal of all waste from the closed, unlined, former Doherty Landfill and relocation of the waste to newly lined areas.

The total acreage of the approved disposal area will increase to 118.3 acres, and the proposed approved disposal capacity will increase by approximately 14.3 million cubic yards to a total of 20.4 million cubic yards. The life of the Facility is calculated to be 30.8 years at the authorized maximum daily waste receipt of 1,500 tons and 61.6 years at the anticipated average daily waste receipt of 750 tons.

Portions of the existing Facility and the proposed expansion are designed/constructed with a composite liner system (recompacted clay, geosynthetic clay liner, geomembrane liner), 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 composite final closure cap system. The permit incorporates 30 years of post-closure care and financial assurance for closure and post-closure care.

Leachate is currently collected by the composite liner/leachate collection system which directs leachate to sumps. The leachate is then pumped through the forcemain line to the leachate holding tanks.

A gas extraction system exists for the Facility and is designed to draw the gas by extraction wells to be incinerated or used for electricity production. The gas collection system has been updated in this permit for all phases of the landfill to meet NSPS requirements.

This permit grants USA Waste a variance from OAC Rule 3745-27-07(H)(4)(d), which requires a minimum 200-foot setback between surface waters of the state and the limits of waste placement. A small area on the western side of the expansion, approximately 1000 feet in length, has three small surface water bodies that are 127, 156 and 169 feet from the limits of 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 Facility's AMDWR remains 1,500 tons, as established in PTI Number 02-11359, issued on August 13, 2002.
2. The Director of the Ohio Environmental Protection Agency (Director), 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).
3. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to Ohio EPA which constitutes this permit. There shall be no deviation from the approved permit or permit conditions without the express, written approval of the Ohio Environmental Protection Agency (Ohio EPA). Any deviation from the approved permit 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 landfill components shall be installed upon orders of Ohio EPA if the 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, specifications, and information submitted as part of PTI Application Number 768895, received July 12, 2010 and revised through September 21, 2012.
6. 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.

7. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-27.
8. The permittee shall ensure that the proposed ground water monitoring wells are installed and sampling has been initiated prior to waste placement in each sequenced phase of the landfill as specified in Section 3.0, Ground Water Monitoring System.
9. 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.
10. This permit does not authorize the acceptance of any hazardous or infectious wastes, except those excluded from hazardous waste or infectious waste regulation by ORC Chapter 3734.
11. 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.
12. 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), Northeast District Office (NEDO) and Ashtabula County Health Department written notification of the anticipated construction start date so that construction of the Facility can be routinely inspected by Ohio EPA, DMWM, NEDO and Ashtabula County Health Department.
13. 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, DMWM, NEDO 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 submitted to Ohio EPA, DMWM,

NEDO 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, NEDO and the Ashtabula County Health Department not later than 45 days prior to the anticipated date of waste receipt in any 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, NEDO provides written concurrence of the construction certification report for that phase.
14. 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 the Ashtabula 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. 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, DMWM, NEDO and the Ashtabula County Health Department, 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)
15. The permittee shall fund a new financial assurance instrument or increase the amount listed on the existing financial assurance instrument in accordance with OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 for the current cost estimates of the facility, including the costs for the newly authorized disposal area. Funding shall be completed prior to waste acceptance in any disposal area newly authorized by this permit to install.

END OF PERMIT CONDITIONS

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VARIANCE

ORC Section 3734.02(A) Variance from OAC Rule 3745-27-07(H)(4)(d)

The permittee has requested a variance from OAC Rule 3745-27-07(H)(4)(d), which prohibits the limits of solid waste placement of a sanitary landfill facility from being located within two hundred feet of areas determined by Ohio EPA or the United States Army Corps of Engineers to be a stream, lake, or wetland. A small area on the western side of the expansion, approximately 1000 feet in length, has three small surface water bodies that are 127, 156, and 169 feet from the limits of solid waste placement.

Pursuant to ORC Section 3734.02(A) and OAC Rule 3745-27-03(C), the Director may grant a variance if he determines that construction, operation, closure activities, and/or post-closure activities in the manner approved by the variance and any terms or conditions imposed as part of the variance will not create a nuisance or hazard to public health or safety or the environment and are unlikely to result in a violation of any other requirements of Chapter 3704, 3714, and 6111 of the revised Code and rules adopted thereunder.

Granting the variance will allow the small surface water bodies to be preserved. Ohio EPA issued a Section 401 Water Quality Certification for a Minimal Degradation Alternative to USA Waste Geneva Landfill, Inc. for the Facility on July 20, 2012. Upon review of the variance request, I have determined that granting the variance will not create a nuisance or 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, and 6111 and rules adopted thereunder. Therefore I hereby authorize a variance to allow the limits of solid waste placement to be located within two hundred feet of areas determined by Ohio EPA or the United States Army Corps of Engineers to be a stream, lake, or wetland in accordance with PTI Number 768895. This variance shall remain in effect throughout the effective period of this permit unless otherwise revoked.