

CERTIFIED MAIL

May 28, 2013

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

RE: Final Permit to Install #768895
Geneva Landfill
Issuance Pursuant to Rule 3745-27-02

Dear Mr. Ross:

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.

Jerry Ross, Senior District Manager
USA Waste Geneva Landfill, Inc.
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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
77 South High Street
17th Floor
Columbus, Ohio 43215

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

Sincerely,



Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosures: Permit to Install and Invoice

cc: Brad Mitchell, CO, DMWM
Scott Hester, CO, DMWM
Fanny Haritos, CO, DMWM
John Schmidt, Joe Loucek, DSW, NEDO
Eric Adams, DDAGW, NEDO
John Hujar, Colum McKenna, DMWM, NEDO
Amy Sue O'Reilly, DAPC, NEDO
Kristopher Weiss, PIC
Raymond Saporito, Ashtabula Co. Health District

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

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: May 28, 2013

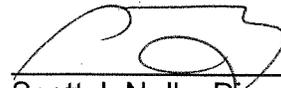
Effective Date: May 28, 2013

OHIO E.P.A.
MAY 28 2013
CHIEF DIRECTOR'S JOURNAL

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

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.



Scott J. Nally, Director

By: My Cassler Date: 5-28-13

PERMIT SUMMARY

This is a Final permit-to-install (PTI Number 768895) which 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.

This is a true and correct copy of the
as filed in the records of the Ohio
Department of Public Safety

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

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.



Division of Materials and Waste Management Response to Comments

**USA Waste Geneva Landfill, Inc. Permit to Install
Lateral and Vertical Expansion
PTI Application Number 768895**

Agency Contacts for this Project

Division Contact: John Hujar, DMWM, (330) 963-1132, John.Hujar@epa.ohio.gov

Public Involvement Coordinator: Kristopher Weiss, (614) 644-2160
Kristopher.Weiss@epa.ohio.gov

Ohio EPA held a public hearing along with a public information session on March 28, 2013 regarding a draft permit-to-install (PTI) for lateral and vertical expansion of the Geneva Landfill located in Ashtabula County. This document summarizes the questions received at the public hearing and during the associated comment period, which ended April 5, 2013.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format.

Public Hearing/Citizens' E-mails

What will be the final height of the landfill expansion?

Response: The top elevation of the cap system of the vertical expansion will be at an elevation of 968 feet MSL. (MSL stands for "mean sea level", and is used to measure the height of an object relative to the average sea level. It is calculated using surveying equipment to measure the height of an object using a survey mark of known elevation.)

The final cap elevation at the highest point of the vertical expansion will be approximately 2 feet lower than the previously approved height of the current facility and approximately 240 feet above Tuttle Road.

How much deeper/larger are they going to take make the hole (south borrow area) that is east of the current landfill footprint?

Response: This area is used to obtain soils for construction/operation of the landfill. The applicant is not required to show excavation elevations for the borrow areas on the permit application, therefore, Ohio EPA does not have this information.

How far south will it take it towards Clay Street?

Response: The expansion is going north, or away from Clay Street. The only new construction south of the existing landfill will be the construction of the wetlands required in the mitigation plan, which was approved in the Army Corps of Engineers (ACOE) 404 Water Quality Permit. The wetland mitigation project will be constructed on the former Haase property.

Will there be any Expansion into Saybrook or Harpersfield Townships?

Response: The landfill Permit to Install does not include an expansion into Saybrook or Harpersfield Townships.

Is the Haase property part of the expansion?

Response: The former Haase property is a 51.8-acre parcel located immediately south of the southwest corner of the existing permitted landfill. This permit does not authorize waste placement onto the Haase property. The parcel is located in Harpersfield Township and is bounded on the west, north and east sides by property owned by USA Waste Geneva Landfill, Inc. and to the south by Clay Street. A portion of the property has been leased back to the seller and another portion of the parcel is to be used for required wetland mitigation purposes.

I thought an expansion was issued within the past several years which were to carry the capacity of this landfill for the next 30-40 years. Why is yet another expansion permit being issued?

Response: The last expansion, PTI No. 02-11359, was issued August 13, 2002 to USA Waste Geneva Landfill, Inc. for a contiguous vertical and lateral expansion incorporating lined areas to the north of the existing disposal area and a 28 acre vertical expansion over the remaining disposal area. The anticipated life of the landfill when that permit was issued was less than 6 years based on if the owner accepted the maximum amount of waste allowed.

Has there been a study on the impact the expansion will have on land values in the area?

Response: Ohio EPA reviews and considers the proposed permit to install based on its technical merit and whether it meets the siting, design, construction, operation, closure, and post-closure care requirements of Ohio's solid waste regulations. Many development activities, such as shopping malls, highways, and industrial manufacturing facilities can affect property values. Issues related to local land use fall under the purview of local agencies such as the regional planning authority or zoning board.

Has there been a 'conclusive' study on what the landfill will do to water wells in the area? We do not have the option of city water along the area I live.

Response: As part of the permit process, Geneva Landfill was required to conduct a very detailed hydrogeologic site investigation to fully characterize the geology beneath the proposed expansion, including identification and characterization of ground water bearing zones. Geneva Landfill was also required to demonstrate that they meet all siting criteria pertaining to ground water aquifer system protection and ground water setbacks. The existing configuration of Geneva Landfill is monitored by 16 monitoring wells in two separate saturated zones, which are sampled twice a year. To date, there has been no known release or impact to ground water quality caused by the landfill. Ohio EPA is confident the permitting process, in addition to ongoing ground water monitoring activities site-wide, ensures protection of local ground water resources and the water supply wells that rely upon them.

How can they even guarantee that the expansion will not affect my water from now until the next time they want another expansion?

Response: The primary objective of the siting criteria pertaining to ground water aquifer system protection is to avoid landfill development and operation in sensitive geologic settings and provide adequate setback distances from existing wellhead protection areas and private water wells. The permit application contained the necessary information for Ohio EPA to determine that the facility meets all siting criteria pertaining to ground water aquifer protection and groundwater setbacks to be certain any release or impact to ground water resources from the landfill would be identified. A ground water monitoring network is installed surrounding the landfill. It is sampled and analyzed twice a year to determine if any landfill impact to ground water has occurred. Once the proposed expansion is fully constructed, the ground water monitoring network at Geneva Landfill will consist of 29 monitoring wells installed across two separate saturated zones beneath the facility.

What controls are in place to assure the land owners around the landfill that the ground water and surface water are being monitored?

Response: The existing configuration of Geneva Landfill is monitored by 16 monitoring wells in two separate saturated zones, which are sampled twice a year. Once the proposed expansion is fully constructed, the ground water monitoring network at Geneva Landfill will consist of 29 monitoring wells installed across these same saturated zones beneath the facility. These samples are analyzed for up to 78 different constituents that would be expected to occur in landfill leachate, including heavy metals, volatile organic compounds, and other common landfill leachate indicators such as ammonia, chloride, sodium, and potassium. The sample results are then statistically analyzed to determine whether or not there has been a statistically significant change or increase in concentration for any particular constituent. The use of statistics allows for the identification of very small increases in any given constituent concentration that might be indicative of an impact to ground water from the landfill. Again, there has been no known release or impact to ground water quality caused by the landfill.

Our concerns of the possible effect this could present to the quality and quantity of our existing water wells. As you must realize, this water supply is crucial to us

and feel acknowledgment of this potential threat should be considered and addressed.

Response: Ohio EPA is also very concerned with the protection of ground water resources surrounding the landfill, especially those resources being used as a source of drinking water. Ohio EPA is confident the permitting process, including the detailed hydrogeologic site investigation coupled with the stringent siting criteria and ground water monitoring requirements, ensures protection of local ground water resources and the water supply wells that rely upon them.

Will surface/ground water run off/saturation get into my household water system?

Response: Ohio EPA will monitor and protect the quality of surface water surrounding Geneva Landfill through enforcement of the current NPDES permit and periodic inspections of the sedimentation ponds to ensure they are working as designed and approved

Dust is a continuing problem in migrating southeast, what about contaminants in the dust that settle on my home and into my pond which is the source of my water supply?

Response: The facility has an air permit and limits fugitive dust emissions accordingly. The primary method the facility uses to control fugitive dust on roadways/parking areas is by watering with a water truck. Dusty waste loads at the working face are also watered, or the dumping of the load is postponed until conditions are less-windy. Daily and vegetative cover also assists with controlling fugitive dust.

Air emissions at the landfill facility are regulated by Ohio EPA through a permit approved by Ohio EPA Division of Air Pollution Control (DAPC). The facility is required to monitor and report emissions, including daily monitoring of particulate emission from roadways and the working face, to determine if dust suppressant is needed. DAPC may cite air pollution violations pertaining to dust issues

What about noise from the equipment that is a daily nuisance 5/6 days a week?

Response: Ohio EPA does not have regulations related to acceptable noise levels. You will sometimes find that noise levels are covered under local ordinances or city codes. You may want to investigate local ordinances in your area to see if they cover noise. Some cities prohibit activities that would create a public nuisance and limit excessive noise between certain hours.

Does it even make a difference that people don't want the expansion?

Response: Federal law considers waste as a commodity; therefore, states cannot restrict importation of out of state waste and the potential increase in truck traffic. The possible effect the landfill may have on property values and how popular or unpopular the landfill may be are not regulated by Ohio EPA. Ohio law does not authorize Ohio EPA to consider local zoning since local officials enforce any zoning codes in effect.

End of Response to Comments

Ohio EPA Invoice/Receipt

Date Printed: May 28, 2013

Revenue ID: 932193

Please include this Revenue ID with all correspondence.

Place ID: 54419

Information: Geneva Landfill
4339 Tuttle Rd
Geneva, OH 44041-

Due Date: June 27, 2013

Amount Due: \$79,600.00

Effective Date: May 28, 2013

Revenue Description: DSIWM- Permit to Install (Solid Waste)
Program Name: Solid Waste Programs
Reason: Required fee balance for final permit to install.

For some Revenues, Interest and/or Penalties may be charged for late payment.

Next Interest Date (if applicable):

Next Penalty Date (if applicable):

Remittance Advice

Detach Here - Please Return This Portion With Your Payment

Place ID: 54419

Information: Geneva Landfill
4339 Tuttle Rd
Geneva, OH 44041-

Due Date: Jun 27, 2013

Amount Due: \$79,600.00

Secondary Type/Id: IWLIC / 04-00-02

Revenue Type: PTISW

Amount Enclosed: \$ _____

Please write this number on your check. Revenue ID: 932193
Make check or money order payable to "Treasurer, State of Ohio"

Remit to: Ohio Environmental Protection Agency - OFA
Department L-2711
Columbus, OH 43260-2711

For Ohio EPA use only

Check ID: _____
Check Date: _____
Check Number: _____
Check Amount: \$ _____

7960000 PTISW 932193