



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Interim Director

CERTIFIED MAIL

February 4, 2014

Mr. Frank Dockery
Stony Hollow Landfill, Inc.
2460 South Gettysburg Road
Dayton, OH 45418

RE: Stony Hollow Landfill
Permit Long Term
Approval
Municipal Solid Waste Landfills
Montgomery County
MSWL0018749

Dear Mr. Dockery:

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. Also, enclosed is a Response to Comments.

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 fifty eight thousand three hundred dollars (\$58,700.00 - \$400.00 application fee = \$58,300.00), payable to **Treasurer, State of Ohio**. Please send the required payment to:

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

Payment of the \$58,300.00 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.

Mr. Frank Dockery
Stony Hollow 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 & Waste Management

Enclosures: Permit to Install and Invoice

cc: Brad Mitchell, DMWM, CO
Scott Hester, DMWM, CO
Fanny Haritos, CO, DMWM
Darla Peelle, PIC
Michelle Ackenhausen, DMWM, SWDO
Russ Brown, DMWM, SWDO
Paul Stuart, Public Health Dayton & Montgomery County

OHIO E.P.A.

FEB -4 2014

**OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL**

ENTERED DIRECTOR'S JOURNAL

Application Number: 907798
Application Received: November 1, 2012
Permit Fee: \$58,700.00
Permit Fee Balance: \$58,700.00 - \$400.00 = \$58,300.00

Applicant: Stony Hollow Landfill, Inc.
Address: 2460 South Gettysburg Road
Dayton, OH 45418

Facility: Stony Hollow Landfill

Location: The facility is located on the east side of South Gettysburg Road, between Guthrie and Stony Hollow Roads.
Dayton, Montgomery County

PTI: Vertical Expansion

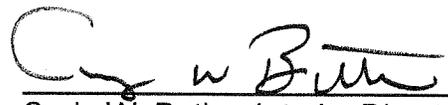
Issuance Date: February 4, 2014

Effective Date: February 4, 2014

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.


Craig W. Butler, Interim Director

By:  Date: 2-4-14

PERMIT SUMMARY

This is a permit-to-install (PTI Number 907798) which authorizes a vertical expansion of Stony Hollow Landfill (Facility), an existing municipal solid waste landfill in Montgomery County. Stony Hollow Landfill, Inc. (Stony Hollow) is the applicant for the permit-to-install.

The approved disposal capacity will increase by approximately 5.9 million cubic yards to 18.8 million cubic yards. The total acreage within the limits of waste placement will remain 69.6 acres. The anticipated life expectancy is 21.8 years based on the anticipated average daily waste receipt of 916 tons.

As with the existing permit, this vertical expansion will incorporate into its construction such features as 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 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 to Ohio EPA which constitutes this permit. There shall be no deviation from the approved permit or the permit conditions without the express, written approval of 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.
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 No. 907798 received on November 1, 2012, with subsequent revisions received on April 22, 2013; August 6, 2013; September 17, 2013; and September 25, 2013.

5. This permit approval 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.
10. Not later than seven (7) days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Southwest District Office (SWDO), Division of Materials and Waste Management (DMWM) and Public Health, Dayton & Montgomery County (PHDMC) written notification of the anticipated construction start date, so that construction of this Facility can be routinely inspected by Ohio EPA, DMWM, SWDO and PHDMC before the Facility is placed into operation.
11. Not later than forty-five (45) days prior to starting any construction of the mechanically stabilized earthen (MSE) wall authorized by this permit, the permittee shall submit to Ohio EPA, DMWM, SWDO the full design of the berm, including the type of reinforcement that shall be used, the proposed vertical and horizontal spacing of the reinforcement, and the design of the facing material. The permittee shall not initiate construction of the MSE wall until Ohio EPA provides concurrence on the MSE wall design.
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 measures employed, shall be made available to Ohio EPA, SWDO, DMWM and PHDMC.
 - b. Surface water control structures, including sedimentation basins, sedimentation basin discharge structures, pipes, ditches, and culverts, shall be inspected weekly for erosion, clogging, or failure and prompt corrective action shall be taken if necessary. A log documenting inspection results, any corrective actions taken, any water quality samples taken, and the date and weather conditions during any water quality sampling shall be maintained and submitted to Ohio EPA, DMWM, SWDO or PHDMC upon request.
 - c. To ensure proper operation of sedimentation basin(s), the basin(s) shall be cleaned out as specified in PTI No. 907798 or 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 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, 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, SWDO, DMWM not later than seven (7) days prior to the intended use of the materials in construction.
 - c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, DMWM, SWDO and PHDMC not later than forty-five (45) days prior to the anticipated date of waste receipt in newly constructed areas. 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.
14. 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 newly authorized disposal area authorized by this permit to install.

Stony Hollow Landfill

PTI Number 907798

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15. The permittee shall continue to comply with all existing applicable authorizing actions for the Facility. However, the design, construction, operation, closure and post-closure activities authorized by this permit (PTI No. 907798) as set forth in the plans, specifications, and information submitted in the application for this permit and the conditions set forth in this permit, shall take precedence over any conflicting plans, specifications, information, or conditions.

END OF PERMIT CONDITIONS



**Division of Materials and Waste Management
Response to Comments**

**Subject: Stony Hollow Landfill, Montgomery County
Permit-to-Install (PTI No.907798): Vertical Expansion**

**Re: Stony Hollow Landfill, Inc.; Permit - Long Term; Public Response;
Municipal Solid Waste Landfills; Montgomery County; MSWL018749**

Agency Contacts for this Project

Division Contact: Michelle Ackenhausen
(937) 285-6049
michelle.ackenhause@epa.ohio.gov

Public Involvement Coordinator: Darla Peelle
(614) 644-2160
darla.peelle@epa.ohio.gov

Ohio EPA held a public hearing on December 11, 2013, regarding a draft permit-to-install for Stony Hollow Landfill. This document summarizes the comments and questions received at the public hearing and/or during the associated comment period, which ended on December 18, 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.

Monitoring Concerns

Comment 1: There was concern for the landfill's siting, especially with relation to the sole source aquifer.

Response 1:

Ohio EPA does not choose where a solid waste disposal facility is sited. The applicant proposes where to locate or expand the facility based on factors such as the siting criteria established in Ohio's solid waste regulations, local land use restrictions such as zoning, and other business considerations such as transportation access and proximity to customers. Ohio EPA evaluates the proposed facility establishment or expansion to determine whether it meets Ohio's solid waste regulations, which were developed to ensure that a solid waste facility does not adversely impact public health or safety or the environment. As part of the solid waste regulations, siting criteria have been adopted which prohibit locating solid waste facilities in certain environmentally-vulnerable areas.

Under the siting criteria, a sanitary landfill facility is prohibited from being located above an aquifer declared by the U.S. EPA, under the Safe Drinking Water Act, to be a sole source aquifer. The U.S. EPA has designated the Great Miami Buried Valley Aquifer as a sole source aquifer. (See Page 14 of the Miami Valley Land Suitability Assessment – Natural Environmental Factors prepared by the Miami Valley Regional Planning Commission at the link located at the end of this document.) The U.S. EPA designates sole source aquifers into two classes based on its characteristics and proximity to recharge: Class I has high to high-intermediate potential productivity. Class II has low-intermediate to low potential productivity.

Ohio's solid waste regulations require a minimum 300-foot setback from the authorized limits of waste disposal to the delineated facility boundary. Therefore, because the facility cannot be located above a designated sole source aquifer (both Class I and Class II portions of the sole source aquifer), the waste disposal limits must be at least 300 feet from the sole source aquifer. Stony Hollow Landfill is not located above the sole source aquifer. Therefore, this siting criterion has been met. Due to the setback requirement of the solid waste regulations, the limits of waste placement are at least 300 feet from the Class II portion of the sole source aquifer and about 2,100 feet from the highly productive Class I portion of the sole source aquifer.

Comment 2: There was concern about the landfill's lifespan. The commenter also feels the landfill should be closed and relocated.

Response 2: A solid waste permit allows a specific volume for waste placement. The permitted volume is often called the landfill's air space. The operating life of a landfill is based upon the amount of air space available to be filled with waste. Sometimes the lifespan is discussed in terms of years, based upon the amount of waste the landfill expects to receive and the maximum amount of waste they are authorized to take per day. However, this is just an estimate of how long the landfill will remain open. A good faith effort is made to accurately determine what these numbers will be, but the waste industry is fluid and no one can predict the actual rate of waste receipt.

The facility meets the requirements for siting, design, construction, operation, closure and post-closure care of a sanitary landfill facility, and the operator is in substantial compliance with Ohio's solid waste laws and regulations. Therefore, Ohio EPA has no cause to require the facility to be closed and relocated.

Comment 3: There is concern that the city of Dayton is adding a \$1 service charge to water bills to protect the sole source aquifer. Further, the commenter is concerned that the city is promoting the aquifer to incoming businesses.

Response 3: Dayton water bills do include a well field charge to aid local well field protection programs. Concerns about water bills should be addressed to the City of Dayton Water Department at (937) 333-3550.

End of Response to Comments

Ohio EPA Invoice/Receipt

Date Printed: February 04, 2014

Revenue ID: 972146

Please include this Revenue ID with all correspondence.

Place ID: 32719

Information: Stony Hollow Landfill Inc
2460 S Gettysburg Avenue
Dayton, OH 45417-

Due Date:

Amount Due:

Effective Date: February 04, 2014

Revenue Description: DSIWM- Permit to Install (Solid Waste)

Program Name: Solid Waste Programs

Reason: Permit fee balance due.

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: 32719

Information: Stony Hollow Landfill Inc
2460 S Gettysburg Avenue
Dayton, OH 45417-

Due Date:

Amount Due:

Secondary Type/Id: FNPDE / OH0112798

Revenue Type: PTISW

Amount Enclosed: \$ _____

Please write this number on your check. Revenue ID: 972146

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: \$ _____

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