

OHIO ENVIRONMENTAL PROTECTION AGENCY PERMIT-TO-INSTALL

Application Number: 03-9614
Application Received: March 1, 1996
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

Applicant: Lafarge Corporation
Address: 11435 County Road 176, P.O. Box 160
City, State, Zip: Paulding, Ohio 45879

Name: Lafarge Corporation
Location: Sections 26 and 27 of Crane Township, north of County Road 176 and West of County Road 105

PTI: Lateral and Vertical Expansion

Issuance Date:

Effective Date:

The above named entity is hereby issued a permit approval (permit-to-install) for the above described source pursuant to Chapter 3745-31 of the Ohio Administrative Code (OAC). Issuance of this permit approval (permit-to-install) 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 approval (permit-to-install) is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency

Christopher Jones, Director

PERMIT SUMMARY

This permit approval (PTI Number 03-9614) is a **DRAFT** authorization to expand Lafarge Corporation's (Lafarge's) approved limits of waste placement at the captive landfill adjacent to their cement manufacturing plant in Paulding County, Ohio. Specifically, the permit application proposes a 115-acre lateral and vertical expansion of the existing facility adding approximately 14.3 million cubic yards of capacity.

Lafarge manufactures cement utilizing a kiln fueled by both coal and flammable liquid hazardous waste provided by Systech Environmental Corporation, located adjacent to the plant. The existing facility is established in a limestone quarry. The site contains at least three other distinct areas where cement kiln dust (CKD) has been historically disposed, including a closed area containing miscellaneous plant derived waste. The areas of vertical and lateral expansion will include a recompacted soil liner and leachate collection system, a surface water management system, a ground water monitoring system, and a recompacted soil cap. Due to the nature of the waste, an explosive gas monitoring system is not necessary. This permit approval includes financial assurance for closure and 15 years of post-closure care.

This permit approval also includes an exemption from the prohibition in OAC Rule 3745-30-06(B)(2), which states that "the residual waste landfill facility cannot be located in a limestone quarry or sandstone quarry."

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

PERMIT CONDITIONS

1. The 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 (residual solid waste disposal facility).
2. The proposed source shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the application for this permit to the director. There may be no deviation from the approved plans without the express,

written approval of the Ohio Environmental Protection Agency (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 facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio EPA if the proposed solid waste disposal facility is inadequate or cannot meet applicable standards.

3. Issuance of this permit approval does not relieve the applicant of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. In accordance with OAC Rule 3745-31-06(A), this permit approval shall terminate 18 months after its effective date if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. In accordance with OAC Rule 3745-31-06(C), this deadline may be extended by up to 12 months if application is made to the director no less than 60 days prior to the expiration of the 18-month period and the party shows just cause for any such extension.
5. This approval shall apply only to the facility shown on the plans submitted as part of PTI Application Number 03-9614, originally received on March 1, 1996, with subsequent revisions and addenda dated or received on February 24, 2000, July 27, 2000, December 13, 2001, April 8, 2003, and April 17, 2003.
6. This permit may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapters 3745-27, 3745-30, and 3745-31 applicable to this residual solid waste disposal facility.
7. The permittee shall provide for the proper maintenance and operation of the residual solid waste disposal facility in accordance with the provisions of OAC Chapter 3745-30.
8. Nothing in this permit approval shall be interpreted to release the permittee from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code (ORC); 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 laws for remedying conditions resulting from any release of contaminants to the environment.

9. Wastes other than those as defined in OAC Rule 3745-30-01(B)(7) are specifically prohibited from disposal at this facility.
10. All construction, operation, closure, and post closure at the facility shall be governed by the quality assurance/quality control plan contained in Attachment 5 of the PTI Addendum dated April 17, 2003, unless written authorization from Ohio EPA, Northwest District Office (NWDO) provides for an acceptable alternative.
11. Ohio EPA, NWDO shall be notified in writing of the construction starting date prior to the start of construction on each of the facility's phases so that construction of this facility can be routinely inspected by Ohio EPA, NWDO before the phases are placed in operation.
12. The permittee shall perform the following activities during placement of added geologic material in Phases 5, 8, and 11 at elevations above 695 MSL:
 - a. Ohio EPA, NWDO shall be notified within three days of added geologic material reaching 695 MSL. Before construction is allowed to proceed past 695 MSL, the permittee shall receive concurrence from Ohio EPA. Ohio EPA may require additional determination in the form of grain size distribution tests or other objective means to ensure all in situ material that can be classified as a coarse grained material under the Unified Soil Classification System (USCS) that is made up primarily of sand and/or gravel, and that is to be left in place, will be separated from the bottom of the recompacted soil liner by not less than 5 feet of added geologic material.
 - b. Ohio EPA, NWDO shall be notified of any sand, gravel, or other permeable seam or pocket encountered in the in situ material that will be adjacent to any waste or engineered component prior to placement of recompacted soil liner. This information shall be included in the construction certification report for the associated phase.
13. The permittee shall perform the following activities during construction and operation of the facility in accordance with the cited provisions of OAC Chapter 3745-30:
 - a. Any test pad required by OAC Rule 3745-30-07(F) shall be constructed and a report containing the test results shall be submitted to Ohio EPA, NWDO no later than 30 days prior to the initial construction date of the landfill component which the test pad models;

- b. The earthen material tests required by OAC Rule 3745-30-07(D) shall be performed and the results submitted to Ohio EPA, NWDO no later than 14 days prior to the intended use of the material in construction; and
 - c. The construction certification report required by OAC Rule 3745-30-07(B) shall be submitted to Ohio EPA, NWDO no later than 45 days prior to the anticipated date of waste receipt in the newly constructed phases.
14. The permittee shall provide for the following inspections and facility maintenance:
- a. The permittee shall provide for daily inspection of the disposal facility and completion of the Residual 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, NWDO upon request;
 - b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, pumps, ditches, and culverts, shall be inspected at least monthly for erosion, clogging, sediment buildup, or failure, and prompt corrective action shall be taken as necessary. A log including inspection results, corrective measures, and the date and weather conditions during any water quality sampling shall be maintained and submitted to Ohio EPA, NWDO upon request;
 - c. At least annually, the permittee shall evaluate the necessity for a sedimentation/flood control pond. This evaluation shall be based on the ability for the adjacent quarry to continue to effectively protect waters of the state from excessive sediment load and flooding based on the criteria contained in OAC Chapter 3745-30. This evaluation shall be included in the annual operational report required by OAC Rule 3745-30-14(HH). Should it be determined by the permittee a sedimentation/flood control pond is necessary, the permittee shall submit the appropriate authorization request(s) which includes detailed narrative and plan drawings depicting a sedimentation/flood control pond and any other necessary changes; and
 - d. The leachate collection system shall be inspected as required under the LCS Operations Plan, Attachment 4 of the PTI Addendum dated April 17, 2003. Written results of the inspections shall be made available to Ohio EPA, NWDO upon request. The permittee shall ensure that the leachate in each sump is less than 12 inches above the invert of the collection pipe.

15. The permittee shall, at least semi-annually, evaluate the ground water surface elevation data to determine whether the requirements of OAC Rule 3745-30-08(B) for locating the monitoring wells continue to be satisfied. This evaluation shall be submitted to Ohio EPA, NWDO along with the information required by OAC Rule 3745-30-08(C)(8). If the evaluation shows that OAC Rule 3745-30-08(B) is no longer satisfied, the permittee shall immediately revise the number, location, and/or depth of the monitoring wells to bring the ground water monitoring system into compliance with this requirement. Ohio EPA may require revisions to the monitoring well installation schedule, the ground water monitoring system, and installation of wells prior to the schedule established in the PTI application.
16. Not later than 180 days prior to the anticipated closure date of the facility, all areas of horizontal and vertical waste placement at the facility, including any areas where any solid waste including CKD has ever been historically disposed, shall be delineated on one or more plan drawings at a scale consistent with those in this permit and then submitted to Ohio EPA, NWDO.
17. Prior to issuance of the final permit, the permittee shall submit to Ohio EPA revisions of the Closure and Post-Closure Care Cost Estimates (Appendix H of Appendix F of the permit application, as revised in Attachment 7 of the April 17, 2003 Addendum). These revisions shall include closure cost estimates based on closure of Phase 2 just after filling in Phase 3 begins. This scenario shall be considered assuming the dewatering pumps are turned off. The revisions shall also include line items for revisions to the closure plan and the groundwater monitoring network in the case of early closure in addition to those items already included.
18. The permittee shall execute a financial assurance instrument meeting the requirements of OAC Rule 3745-30-11(A)(3)(c) prior to final issuance of this permit, and fund said instrument no later than 30 days after such issuance. This instrument shall meet the requirements of OAC Rules 3745-30-11 and 3745-30-13.
19. Within 30 days of issuance of the final permit, the permittee shall submit to Ohio EPA, NWDO revisions to the ground water monitoring plan (Appendix I of the permit application). These revisions include the following narrative and specifications:
 - a. The first bedrock unit and the associated overlying sand and gravels shall be identified as an uppermost aquifer system;
 - b. A staff gauge shall be included for measuring the water level in the northeast pond;

- c. Piezometers P-1001, P-1002, and P-1003 shall be included to monitor ground water levels in accordance with OAC Rules 3745-30-08(C)(2) and (C)(8) and the results shall be evaluated in accordance with OAC Rule 3745-30-08(B)(5); and
 - d. Sampling and analysis of ground water monitoring well MW-101 shall continue on a semiannual basis.
20. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of \$79,600.00 payable to "Treasurer, State of Ohio", shall be submitted to Ohio EPA, Attn: Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049. The fee balance shall be submitted within 30 days of the effective date of this permit approval. Failure to timely submit the required permit fee balance will result in assessment of late penalties in accordance with ORC Sections 3745.11(Q) and (V).

END OF PERMIT CONDITIONS

ORC Section 3734.02(G) Exemption

OAC Rule 3745-30-06(B)(2) states that "the residual waste landfill facility cannot be located in a limestone quarry or sandstone quarry."

The proposed facility is located in a limestone quarry.

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, 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 or license or comply with other requirements of ORC Chapter 3734.

Based on the hydrogeologic and other information submitted as part of the permit to install application, and the design of the facility as set forth in the permit to install application, granting an exemption from OAC Rule 3745-30-06(B)(2) 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 the prohibition to locate a residual waste landfill facility in a limestone quarry.