



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, Ohio 43216-1049

OHIO ENVIRONMENTAL PROTECTION AGENCY PERMIT-TO-INSTALL

Application Number: 06-07468
Application Received: March 24, 2004
Permit Fee: \$1,000.00
Permit Fee Balance: \$600.00 (\$1,000.00 - \$400.00)

Applicant: Pike Sanitation, Inc.
Address: 123 South Lock Street
City, State, Zip: Waverly, Ohio 45690
Telephone: (740) 947-4200

Name: Pike Sanitation Landfill - Scrap Tire Monocell Facility
Location: 11775 State Route 220, Waverly, Seal Township, Pike County, Ohio
PTI: Vertical & Lateral Expansion and AMDWR Decrease

Issuance Date:

Effective Date:

The above-named entity is hereby issued a permit approval (permit-to-install) for the above described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit approval 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 is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency

Christopher Jones, Director

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

PERMIT SUMMARY

This is a FINAL permit approval (PTI Application Number 06-07468), which, if approved, authorizes the vertical and lateral expansion of the Pike Sanitation Landfill - Scrap Tire Monocell Facility (Monocell) located at 11775 State Route 220, Waverly, Seal Township, Pike County, Ohio.

On March 24, 2004, Pike Sanitation, Inc. (Pike) submitted PTI Application Number 06-07468 to modify the Monocell. This permit reduces the size of the Monocell from the current 18 acres and 610,000 cubic yards to 4 acres and 163,000 cubic yards and authorizes a small vertical and lateral expansion of 0.1 acres and less than 1,000 cubic yards of solid waste disposal capacity. It also reduces the authorized maximum daily waste receipt (AMDWR) from 100 tons to 2 tons.

This permit approval includes three exemptions, pursuant to OAC Rule 3745-27-03(B), from the following rules: OAC Rule 3745-27-08(B)(1)(d)(iii), which requires the leachate collection and management system to include a filter layer; OAC Rule 3745-27-08(B)(1)(c)(ii), which requires the composite liner system to include a flexible membrane liner; and OAC Rule 3745-27-75(G)(3), which requires the intermediate cover to include a geo-textile fabric.

This permit approval also includes a variance, pursuant to OAC Rule 3745-27-03(C), from OAC Rule 3745-27-08(D)(8)(a) in order to reduce the thickness of the recompacted soil liner to eighteen (18) inches within the horizontal limits of the Monocell, which is equivalent to the allowable design for a scrap tire monofill.

The Monocell currently has and will continue to incorporate into its construction such features as a ground water monitoring system, a final closure cap system, including a flexible membrane liner, and 30 years of post-closure care.

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 (scrap tire monocell facility).
2. The proposed facility shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the application for this permit approval. 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 facility will operate in compliance with all Ohio laws and regulations. Additional landfill components shall be installed upon orders of Ohio EPA if the proposed scrap tire monocell facility is inadequate or cannot meet applicable standards.

3. Issuance of this permit approval does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. This permit approval shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 06-07468, received on March 24, 2004, and subsequent revisions.
5. The Monocell's AMDWR shall be 2 tons.
6. This permit approval may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-27 applicable to this scrap tire monocell facility.
7. The permittee shall provide for the proper maintenance and operation of the scrap tire monocell facility in accordance with the provisions of OAC Chapter 3745-27.
8. Nothing in this permit approval shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This permit approval shall not be interpreted to release the permittee from responsibility under Ohio Revised Code (ORC) Chapters 3704, 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.
9. Ohio EPA, Southeast District Office (SEDO) and the Pike County Health Department shall receive written notification of the construction start date no later than seven (7) days prior to starting any construction authorized under this permit approval, so that construction of the Monocell can be routinely inspected by Ohio EPA, SEDO and/or the Pike County Health Department, if on the director's approved list, before being placed into operation.
10. This permit approval 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.
11. This permit approval 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. The permittee shall perform the following activities during construction and operation of the Monocell

in accordance with the cited provisions of OAC Chapter 3745-27 as follows:

The following pre-construction tests for the materials to be used as part of the composite cap system shall be performed at the frequency required by OAC Rule 3745-27-08 or the specification in the authorizing document(s), and the test results shall be submitted to Ohio EPA, SEDO: maximum dry density and optimum moisture content according to ASTM D698 (standard proctor) or ASTM D1557 (modified proctor), grain size distribution according to ASTM D422 (sieve and hydrometer), Atterberg limits according to ASTM D4318, recompacted laboratory permeability according to ASTM D5084 (falling head), carbonate content according to ASTM D3042 using a pH of 10.0, and interface shear strength according to ASTM D5321 (direct shear test). The construction materials shall not be used until seven (7) days after the results have been submitted, unless Ohio EPA, SEDO authorizes the use of the materials prior to the end of the seven-day period.

13. The permittee shall provide for the following inspections and facility maintenance:
 - a. The permittee shall provide for daily inspection of the Monocell and completion of the daily inspection checklist and the Municipal Solid Waste Disposal Facility Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, SEDO and/or the Pike County Health Department, if on the director's approved list, 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, 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, SEDO and/or the Pike County Health Department, if on the director's approved list, upon request.
 - c. To ensure proper operation of sedimentation ponds, the ponds shall be cleaned out completely every year or when the volume of settled particles necessitates cleaning based either on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(D)(3).
14. The permittee shall increase the amount of financial assurance based on the approved final closure and post-closure care cost estimates listed in this permit. The increase shall be made in accordance with OAC Rules 3745-27-15 and 3745-27-16. Financial assurance shall be adjusted annually in accordance with OAC Rules 3745-27-15(D) and 3745-27-16(D).
15. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee

balance, in the amount of six hundred dollars (\$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 thirty (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).

OAC RULE 3745-27-03(B) EXEMPTIONS

OAC Rule 3745-27-08(B)(1)(d)(iii) requires the leachate collection and management system to include a filter layer. OAC Rule 3745-27-08(B)(1)(c)(ii) requires the composite liner system to include a flexible membrane liner. OAC Rule 3745-27-75(G)(3) requires the intermediate cover to include a geo-textile fabric.

Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), 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 or license or comply with other requirements of ORC Chapter 3734.

The permittee has demonstrated that granting exemptions from OAC Rules 3745-27-08(B)(1)(d)(iii), 3745-27-08(B)(1)(c)(ii), and 3745-27-75(G)(3) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the permittee is hereby exempted from OAC Rule 3745-27-08(B)(1)(d)(iii), which requires the leachate collection and management system to include a filter layer; OAC Rule 3745-27-08(B)(1)(c)(ii), which requires the composite liner system to include a flexible membrane liner; and OAC Rule 3745-27-75(G)(3), which requires the intermediate cover to include a geo-textile fabric.

OAC RULE 3745-27-03(C) VARIANCE

OAC Rule 3745-27-08(D)(8)(a) requires that:

“the recompacted soil liner be at least five feet thick or as follows: (i) an alternative thickness to be no less than three feet, based on the result of the calculations outlined in appendix I of this rule; (ii) three feet thick if used in conjunction with a geosynthetic clay liner that meets the specifications in paragraph (D)(9) of this rule; (iii) an alternate thickness, to be no less than one and one-half feet thick, based on the results of the calculations outlined in appendix I of this rule if used in conjunction with a geosynthetic clay liner that meets the specifications in paragraph (D)(9) of this rule; (iv) two feet thick for the recompacted soil liner component of an interim composite liner/leachate collection system; (v) two feet thick for the recompacted soil liner component of a separatory liner/leachate collection system.”

Pursuant to ORC Section 3734.02(A) and OAC Rule 3745-27-03(C), the director may grant a variance from any provision of OAC Chapter 3745-27 if it will not create a nuisance or a 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, 3734, and 6111 and any rules adopted thereunder.

The permittee has demonstrated that granting a variance from OAC Rule 3745-27-08(D)(8)(a) will not create a nuisance or a 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, 3734, and 6111 and any rules adopted thereunder. Therefore, pursuant to ORC Section 3734.02(A) and OAC Rule 3745-27-03(C), the permittee is hereby granted a variance from the requirements of OAC Rule 3745-27-08(D)(8)(a) in order to reduce the thickness of the recompacted soil liner to 18 inches within the horizontal limits of the Monocell. This variance shall apply exclusively to the Monocell's construction.