



State of Ohio Environmental Protection Agency

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OHIO ENVIRONMENTAL PROTECTION AGENCY PERMIT-TO-INSTALL

Application Number: 05-11554
Application Received: May 1, 2001
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00 (\$80,000.00 - \$400.00)

Applicant: Rumpke Sanitary Landfill, Inc.
Address: 10795 Hughes Road
City, State, Zip: Cincinnati, Ohio 45251

Name: Rumpke Sanitary Landfill
Location: The facility is located at the corner of Struble Road and U.S. Route 27 in Colerain Township, Hamilton County, Ohio.
PTI: Vertical & Lateral Expansion and AMDWR Increase

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 Number 05-11554) that authorizes Rumpke Sanitary Landfill, Inc. (Rumpke) to vertically and laterally expand the Rumpke Sanitary Landfill (Facility) located in Hamilton County. Specifically, this permit authorizes the Facility to be expanded vertically over 62 acres of the existing facility and laterally 95 acres to the south. This expansion will add approximately 37.7 million cubic yards of capacity to the Facility. Furthermore, Rumpke proposes to increase the Facility's authorized maximum daily waste receipt (AMDWR) from 8,600 tons to 10,000 tons. Based on the new AMDWR, the added capacity will extend the Facility's life span by about 10 years.

The proposed expansion has been designed in accordance with OAC Rule 3745-27-08 and incorporates such features as a separatory liner system, a composite liner system, a leachate collection and management system, a ground water monitoring system, sedimentation control, an explosive gas extraction system, a final closure cap system, slope stability analyses, and 30 years of post-closure care.

This permit approval includes a variance from the prohibition to place solid waste within 300 feet of the property line, as set forth in OAC Rule 3745-27-07(H)(4)(b). The existing and proposed limits of waste placement meet this siting criterion except near the southwestern edge where the Facility is bound by U.S. Route 27 (a.k.a. Colerain Avenue). In this location, the existing limits of waste placement are about 222 feet from the road's right-of-way. No new waste will be placed in this area. Also, no other private property is located within 300 feet of the limits of waste placement, and Rumpke owns the property on the other side of the roadway in this area.

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 (municipal solid waste disposal facility).
2. The proposed facility shall be constructed in strict accordance with the plans, specifications, and information submitted as a 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 facilities will operate in compliance with all Ohio laws and

regulations. Additional facilities shall be installed upon orders of Ohio EPA if the proposed municipal solid waste disposal 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 05-11554, as received on May 1, 2001, with subsequent revisions received on May 20, 2002; August 30, 2002; May 30, 2003; July 1, 2003; August 15, 2003; September 23, 2004; September 29, 2004; October 29, 2004; and November 8, 2004.
5. The Facility's AMDWR is hereby established to be 10,000 tons. This supersedes any previously established AMDWR for the Facility.
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 municipal solid waste disposal facility.
7. The permittee shall provide for the proper maintenance and operation of the municipal solid waste disposal 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 except as specified herein. This permit approval 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.
9. 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.
10. 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.
11. Ohio EPA, Southwest District Office (SWDO) and the Hamilton County General Health District 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 Facility can be routinely inspected by Ohio EPA, SWDO and the Hamilton County General Health District before being placed into operation.

12. 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 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, SWDO and the Hamilton County General Health District 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, SWDO and the Hamilton County General Health District 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).
 - d. The leachate collection system shall be inspected regularly and maintained to prevent blockage or clogging that may impede proper collection of leachate.
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 test pad required by OAC Rule 3745-27-08(E) shall be constructed, and a report containing the test results shall be submitted to Ohio EPA, SWDO no later than fourteen (14) days prior to the initial construction date of the landfill component that the test pad models.
 - b. The pre-construction tests required by OAC Rule 3745-27-08(D) shall be performed, and the test results shall be submitted to Ohio EPA, SWDO no later than seven (7) days prior to the intended use of the materials in construction.
 - c. 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 no later than seven (7) days prior to the use of each geosynthetic material authorized by this permit approval.
 - d. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted

to Ohio EPA, SWDO no later than 45 days prior to the anticipated date of waste receipt. Pursuant to OAC Rule 3745-27-19(C)(1), the permittee shall not accept waste in a phase until Ohio EPA, SWDO provides written concurrence of the construction certification report for that phase.

14. Prior to waste acceptance in any disposal area newly authorized by this permit approval, the permittee shall execute and fund a financial assurance instrument meeting the requirements of OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17.
15. The permittee shall not conduct leachate recirculation at the Facility without prior written approval from Ohio EPA.
16. Prior to excavation or construction activities in any areas subject to Sections 401 and/or 404 of the Clean Water Act (33 United States Code Sections 1341 and 1344), the permittee shall obtain all applicable permits and approvals and shall submit copies to Ohio EPA, SWDO.
17. Prior to excavation or construction activities subject to ORC Section 6111.021, which may impact isolated wetlands, the permittee shall obtain all applicable permits and approvals. Obtaining appropriate authorization from Ohio EPA does not alleviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
18. 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 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).

END OF PERMIT CONDITIONS

OAC RULE 3745-27-03(C) VARIANCE

OAC Rule 3745-27-07(H)(4)(b) states that the limits of solid waste placement of the sanitary landfill facility shall not be located within 300 feet of the facility's property line.

The existing and proposed limits of waste placement meet this siting criterion, except near the southwestern edge where the Facility is bound by U.S. Route 27 (a.k.a. Colerain Avenue). In this location, the existing limits of waste placement are about 222 feet from the road's right-of-way. No new waste will be placed in this area. Also, no other private property is located within 300 feet of the limits of waste placement, and Rumpke owns the property on the other side of the roadway in this area.

Pursuant to OAC Rule 3745-27-03(C), the director can grant a variance if the applicant demonstrates that construction, operation, closure activities, and/or post-closure activities of the solid waste facility in the manner approved by the variance and any terms or conditions imposed as part of the variance 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.

Because the adjacent property is a roadway right-of-way, because it is more than 460 feet from the center of U.S. Route 27 (a.k.a. Colerain Avenue) to the limits of waste placement, because Rumpke owns the property on the other side of the road in that area, and because Rumpke must construct the facility in accordance with the permit application, granting a variance from the prohibition of locating the limits of waste placement within 300 feet of the facility's property line in the manner proposed in the permit application 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 OAC Rule 3745-27-03(C), I hereby grant a variance to the permittee from the requirement of OAC Rule 3745-27-07(H)(4)(b) for the existing waste located within 300 feet of the Facility's property line.