

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 02-19601
Application Received: June 17, 2004
Permit Fee: \$2,500.00
Permit Fee Balance: \$2,100.00

Applicant: JMW Trucking Services, Inc.
Address: 512 45th Street, S.W.
City, State, Zip: Canton, Ohio 44706

Facility: JMW Solid Waste Rail Transfer Facility
Location: 1800 Allen Avenue, S.E.
Canton, Ohio 44707

Permit: Solid Waste Transfer Facility

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 of hereof.

In accordance with Ohio Revised Code (ORC) Section 3734.44, the applicant has exhibited sufficient reliability, expertise, and competency to operate the solid waste facility. This determination is made based upon review of the disclosure statements submitted pursuant to ORC Section 3734.42.

Ohio Environmental Protection Agency

Joseph P. Koncelik, Director

PERMIT SUMMARY

This is a DRAFT permit (PTI Application Number 02-19601), which, if approved, authorizes the proposed JMW Solid Waste Rail Transfer Facility (Transfer Facility) located at 1800 Allen Avenue, S.E., City of Canton, Stark County, Ohio. JMW Trucking Services, Inc. (JMW) is the owner and the operator of the existing rail transfer station at this location. JMW submitted PTI Application Number 02-19601 to the Ohio Environmental Protection Agency (Ohio EPA) on June 17, 2004, with a subsequent revision on September 17, 2004.

The existing rail transfer station transfers construction and demolition debris (C&DD) and occasionally solid waste from railcars. Solid waste currently transferred at the rail transfer station is limited to auto fluff, contaminated soil, and C&DD commingled with non-putrescible solid waste. The transfer of solid waste is currently less than 50 percent of the facility's business. JMW, however, plans to expand the solid waste transfer segment of its business and anticipates that future solid waste transfer will exceed this amount.

The Transfer Facility has been designed in accordance with OAC Rule 3745-27-21.

This summary is provided solely for informational purposes and does not constitute a part of, or otherwise affect, this permit approval.

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 (solid waste transfer facility).
2. In accordance with OAC Rule 3745-27-02(I), this permit approval shall terminate three (3) years after its effective date if the permittee has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation of the Transfer Facility.
3. The proposed source 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 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 facilities shall be installed upon orders of Ohio EPA if the proposed solid waste transfer

facility is inadequate or cannot meet applicable standards.

4. 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.
5. This permit approval shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 02-19601, as received on June 17, 2004, and as revised on September 17, 2004.
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 solid waste transfer facility.
7. The permittee shall provide for the proper maintenance and operation of the solid waste transfer 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 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. Ohio EPA, Northeast District Office (NEDO) and the Canton City Board of Health 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 Transfer Facility can be routinely inspected by Ohio EPA, NEDO and the Canton City Board of Health before being placed into operation.
10. The permittee shall provide for daily inspection of the Transfer Facility and completion of the daily inspection checklist and the Solid Waste Transfer Facility Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, NEDO or the Canton City Board of Health, upon request.
11. Not later than sixty (60) days after completion of construction, the owner or operator of the Transfer Facility shall submit to Ohio EPA, NEDO a certification report signed by the owner or operator that the Transfer Facility has been constructed in strict compliance with the applicable authorizing documents. Prior to operating as a solid waste transfer facility, JMW shall obtain concurrence from Ohio EPA on the construction certification report and a solid waste license from the City of Canton Health Department.

12. This permit approval does not authorize the acceptance of any municipal solid waste, as defined in OAC Rule 3745-27-01, at the Transfer Facility. No municipal solid waste shall be accepted at the Transfer Facility unless written authorization has been obtained from Ohio EPA.
13. This permit approval does not authorize the acceptance of any hazardous or infectious waste, except those excluded from hazardous waste or infectious waste regulation by ORC Chapter 3734.
14. 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-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
15. This permit approval does not authorize the acceptance of whole or shredded scrap tires for transfer to a disposal facility, unless they are to be transferred to a scrap tire collection, storage, recovery, monocell, or monofill facility licensed in accordance with OAC Chapter 3745-27, or to a licensed solid waste incinerator.
16. All surface water control structures shall be in place prior to beginning any other construction activities authorized by this permit approval.
17. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of \$2,100 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