

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

Application Number: 02-20084
Application Received: October 20, 2004
Permit Fee: \$ 2, 500
Permit Fee Balance: \$ 2,100

Applicant: Penn-Ohio Coal Co., dba Kimble Transfer and Recycling
Address: 3596 State Route 39 NW
City, State, Zip: Dover, OH 44622

Name: Kimble Transfer and Recycling - Twinsburg Township Transfer and Recycling Facility
Location: Chamberlain Road
Twinsburg, OH 44087

PTI: New 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

PTI SUMMARY

This is a DRAFT permit-to-install (PTI Application Number 02-20084), which, if approved, authorizes Kimble Transfer and Recycling to construct the proposed Kimble Transfer and Recycling - Twinsburg Township Transfer and Recycling Facility (Transfer Facility), a new solid waste transfer facility, located on the west side of Chamberlain Road north of Highland Road, in Twinsburg Township, Summit County. Penn-Ohio Coal Co., dba Kimble Transfer and Recycling, is the proposed owner and operator, and is the PTI applicant. PTI application number 02-20084 was submitted on October 20, 2004, with subsequent revisions submitted on December 13, 2004; January 26, 2005; March 25, 2005; August 25, 2005; December 12, 2005; December 28, 2005; January 3, 2006; and January 5, 2006.

The proposed solid waste transfer facility will be an enclosed facility. The proposed facility has been designed in accordance with OAC 3745-27-21.

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

PERMIT CONDITIONS

1. 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.
2. The Director of Ohio EPA (Director), or an authorized representative, may enter upon the premises of the above named applicant (permittee) during construction and operation at any reasonable time 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 transfer facility).
3. 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 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 municipal solid waste transfer facility is inadequate or cannot meet applicable standards.

4. 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.
5. This approval shall apply only to those facilities shown on the plans submitted as part of PTI application number 02-20084.
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 municipal 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 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, 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 remediating conditions resulting from any release of contaminants to the environment.
9. 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.
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. This permit approval does not provide for the acceptance for transfer to a disposal facility of whole or shredded scrap tires 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.
12. This permit approval does not provide for the acceptance for transfer to a disposal facility of yard waste, source-separated yard waste, or mixed yard waste unless source-separated yard waste will be transferred to a composting facility registered or licensed in accordance with OAC Chapter 3745-27.
13. Ohio EPA, Northeast District Office (NEDO) and the Summit 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 Transfer Facility can be routinely inspected by Ohio EPA, NEDO and the Summit County Health Department before the facility is placed into operation.

14. The permittee shall provide for the following inspections and facility maintenance:
 - a. 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 or the Summit County Health Department upon request.
 - b. The leachate collection system shall be inspected and maintained to prevent blockage or clogging that may impede proper collection of leachate.
15. All surface water control structures must be in place prior to beginning any other construction activities.
16. In accordance with OAC Rule 3745-27-23(Y), the facility shall not accept waste materials to any area of the Transfer Facility until all of the following events have occurred:
 - a. Site preparations for that area have been completed;
 - b. The certification report has been signed by the owner or operator that the Transfer Facility has been constructed in strict compliance with the applicable authorizing document and submitted to Ohio EPA;
 - c. All necessary equipment has been brought to the Transfer Facility;
 - d. The Transfer Facility has been adequately prepared for operation; and
 - e. The prepared Transfer Facility has been inspected by the Summit County Health Department.
17. This permit will not be issued as a final action until the Director has determined, based on review of the disclosure statements submitted to the Attorney General's Office, that the applicant meets the background check criteria specified in ORC Section 3734.44.

18. This permit will not be issued as a final action until a financial assurance instrument meeting the requirements of OAC Rules 3745-27-15 and 3745-27-17 has been executed. The financial assurance instrument must be funded prior to accepting solid waste at the facility.
19. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of two thousand one hundred dollars (\$2,100.00) 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 fee balance will result in assessment of late penalties in accordance with ORC Sections 3745.11(Q) and (V).

END OF CONDITIONS