

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

MAY 25 2011

Application Number: 727584
Application Received: September 28, 2009
Permit Fee: \$2500.00
Permit Fee Balance: \$2100.00

ENTERED DIRECTOR'S JOURNAL

Applicant: Young's Waste Services, LLC.
Address: 108 Zimmerman Avenue
Van Wert, Ohio 45891

Facility: Young's Waste Services Solid Waste Transfer Facility

Location: 920 Jackson Street
Van Wert, Ohio 45891

Permit: Conversion of Legitimate Recycling Facility to a Solid Waste Transfer Facility

Issuance Date: MAY 25 2011

Effective Date: MAY 25 2011

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

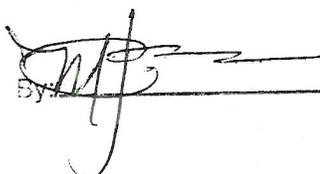
In accordance with Ohio Revised Code (ORC) Section 3734.44, the applicant has exhibited sufficient reliability, expertise, and competency to operate the solid waste facility. This determination is made based upon review of the disclosure statements submitted pursuant to ORC Section 3734.42.

Ohio Environmental Protection Agency

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.



Scott J. Nally, Director

By:  Date: 5.25.2011

PERMIT SUMMARY

This is a FINAL permit-to-install (PTI application number 727584), which authorizes the establishment of Young's Waste Services Solid Waste Transfer Facility (Transfer Facility), a proposed solid waste transfer facility located at 920 Jackson Street, Van Wert, Ohio 45891 in Van Wert County. Young's Waste Services, LLC (Young's Waste Services) is the proposed owner and operator, and is the PTI applicant. PTI application number 727584 was submitted on September 28, 2009, with the most recent revision submitted on December 6, 2010.

The proposed Transfer Facility is currently operating in accordance with OAC Rule 3745-27-03(A)(6)(b). It is located in an enclosed building that will be retrofitted with a leachate collection system that includes a leachate storage tank in accordance with OAC Rule 3745-27-22(M). The owners will also establish financial assurance for facility closure. The Transfer Facility is designed in accordance with the current requirements.

This permit grants Young's Waste Services a variance from OAC Rule 3745-27-22(K), which prohibits the waste handling areas of the solid waste transfer facility from being located within two hundred fifty feet of a domicile in existence on the date of receipt of the permit to install application by the Ohio Environmental Protection Agency (Ohio EPA).

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

PERMIT CONDITIONS

1. The Director of Ohio EPA (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. 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 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.

3. 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. This permit shall apply only to those facilities shown on the plans submitted as part of PTI application number 727584.
4. This permit 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.
5. In accordance with OAC Rule 3745-27-02(I), this permit 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.
6. The permittee shall provide for the proper maintenance and operation of the Transfer Facility in accordance with the provisions of OAC Chapter 3745-27.
7. Nothing in this permit 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 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.
8. This permit does not authorize the acceptance of any hazardous or infectious wastes, except those excluded from hazardous waste or infectious waste regulation by ORC Chapter 3734.
9. This permit 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.
10. This permit 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.
11. This permit does not authorize the acceptance of yard waste, source-separated yard waste, or mixed yard waste for transfer to a disposal facility unless source separated yard waste will be transferred to a composting facility registered or licensed in accordance with OAC Chapter 3745-27.

12. Ohio EPA-Northwest District Office (NWDO) and Van Wert County General Health District shall receive written notification of the construction start date not later than seven (7) days prior to starting any construction authorized under this permit so that construction of the Transfer Facility can be routinely inspected by Ohio EPA-NWDO and Van Wert County General Health District before being placed into operation.
13. The permittee shall provide for the following inspections and maintenance of the Transfer Facility:
 - a. The permittee shall provide for daily inspection of the Transfer Facility and completion of 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-NWDO and Van Wert County General Health District upon request.
 - b. The leachate collection system shall be inspected at least annually and maintained to prevent blockage or clogging that may impede proper collection of leachate.
14. All surface water control structures shall be in place prior to beginning any other construction activities.
15. Not later than 180 days after the date of issuance of this permit, the permittee shall have completed the site preparations and facility upgrades as shown in the permit to install.
16. Not later than 210 days after the date of issuance of this permit, the permittee shall submit a certification report to Ohio EPA-NWDO. The report shall be signed by the owner or operator, and certify that
 - a. the transfer facility has been established in strict compliance with the applicable authorizing document;
 - b. all necessary equipment has been brought to the Transfer Facility;
 - c. the Transfer Facility has been adequately prepared for operation.
17. Not later than thirty (30) days after permit issuance, the permittee shall execute and fully fund a financial assurance instrument which meets the requirements of OAC Rules 3745-27-15 and 3745-27-17.

END OF PERMIT CONDITIONS

VARIANCE

The permittee has requested a variance from OAC Rule 3745-27-22(K), which states,

“The waste handling areas of the solid waste transfer facility are not located within two hundred fifty feet of a domicile in existence on the date of receipt of the permit to install application by Ohio EPA.”

Specifically, the proposed facility will be located in an area that lies within 150 feet of a domicile. In all, there are fourteen domiciles within 250 feet of the waste handling area that were in existence on the date of receipt of the permit to install application.

Young's Waste Services has operated the facility as an exempt transfer facility since 1990 and as a legitimate recycling facility since December 2008. During these years of operation, the waste handling area has been located within 250 feet of these existing domiciles in the same location that it is currently proposed in this PTI application. Young's Waste Services operates the facility appropriately and to date has not caused concern for public health, safety, or the environment.

Pursuant to OAC Rule 3745-27-03(C), the Director may grant a variance only if the applicant demonstrates to the Director's satisfaction that construction, operation, and performance of 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 are unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, or 6111 and any rules adopted thereunder.

Based upon a review of the request and the historical operations at the site, granting the permittee a variance from the requirement of OAC Rule 3745-27-22(K) 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, or 6111 and any rules adopted thereunder. Therefore, pursuant to OAC Rule 3745-27-03(C), the permittee is hereby granted a variance from the requirement of OAC Rule 3745-27-22(K) that prohibits locating the waste handling areas of the solid waste transfer facility within two hundred fifty feet of a domicile in existence on the date of receipt of the permit to install application by Ohio EPA. The variance shall remain in effect throughout the effective period of this permit unless otherwise revoked.

END OF VARIANCE