

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT-TO-INSTALL

Application Number: 02-11359
Application Received: July 3, 1997
Permit Fee: \$35,721.19
Permit Fee Balance: \$35,321.19

Applicant: USA Waste Geneva Landfill, Inc.
Address: 4339 Tuttle Road
City, State, Zip: Geneva, Ohio 44041
Phone: (440) 466-6481

Name: Geneva Landfill
Location: Located along Tuttle Road approximately 1/2 mile west of Sexton Road and approximately 3/4 mile south of State Route 84 in Geneva Township, Ashtabula County
PTI: 1968-80 Call-In and Vertical and Lateral Expansion

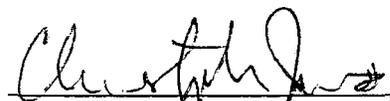
Issuance Date: AUG 12 2002
Effective Date: AUG 12 2002

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

By: Zona L. Clemer Date: 8/12/02

The above named entity is hereby issued a permit approval (permit-to-install) for the above described source pursuant to Chapter 3745-31 of the Ohio Administrative Code (OAC). Issuance of this permit approval (permit-to-install) 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 (permit-to-install) is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency



Christopher Jones, Director

OHIO E.P.A.
AUG 12 2002
ENTERED DIRECTOR'S JOURNAL

PERMIT SUMMARY

This permit approval (PTI Number 02-1 1359) authorizes a vertical and lateral expansion of Geneva Landfill's approved waste limits established by PTI Number 02-2940 issued on May 6, 1991, and Director's Findings and Orders issued on July 9, 1992. This permit approval also establishes that the facility satisfies Ohio's 1968-80 call-in requirement. The landfill is a municipal solid waste facility located in Geneva Township, Ashtabula County. Specifically, Waste Management, Inc. (applicant) proposes to expand the facility's capacity by 3,622,158 cubic yards. Of the total new capacity, 3,572,119 cubic yards are designated for solid waste disposal with the remaining 50,039 cubic yards designated for non-solid waste disposal. Only non-solid waste can be disposed of in those specially designated areas in order to comply with all applicable siting criteria in OAC Rule 3745-27-07, The total expansion area is approximately 36 acres. Of the 36 acres, eight acres will be a lateral expansion to the north of the existing unit and the remaining 28 acres will be a vertical expansion over portions of the existing unit. The life expectancy for this expansion is six years based on an authorized maximum daily waste receipt of 1,500 tons.

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

In accordance with OAC Rule 3745-31-06(A), this permit approval shall terminate 18 months after its effective date if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. In accordance with OAC Rule 3745-31-06(C), this deadline may be extended by up to 12 months if application is made to the director not less than 60 days prior to the expiration of the 18-month period, and the party shows just cause for any such extension.

2. 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).
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. 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 these 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 disposal facility is inadequate or cannot meet applicable standards.

4. Issuance of this permit approval does not relieve the applicant 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 02-1 1359, as received on July 3, 1997, with subsequent addenda received on January 27, 1998; May 11, 1998; September 23, 1998; November 2000; February 15, 2002; May 15, 2002; May 28, 2002; May 30, 2002; June 14, 2002; June 21, 2002; and July 3, 2002.
6. The authorized maximum daily waste receipt (AMDWR) is 1,500 tons.
7. This permit approval may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapters 3745-27 and 3745-31 applicable to this municipal solid waste disposal facility.
8. 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.
9. Nothing in this permit approval shall be interpreted to release the permittee from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts; or from other applicable laws for remedying conditions resulting from any release of contaminants to the environment.
10. This permit approval does not include authorization to accept any hazardous or infectious waste, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
11. Ohio EPA, Northeast District Office (NEDO) and the Ashtabula County Health Department shall be notified in writing of the construction starting date prior to the start of construction on each of the facility's phases so that construction of this facility can be routinely inspected by Ohio EPA, NEDO and the Ashtabula County Health Department before the phases are placed in operation.

12. This permit approval does not provide for the acceptance of any asbestos or asbestos-containing 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.
13. 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. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, NEDO or the Ashtabula County Health Department 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. A log including inspection results, corrective measures, and the date and weather conditions during any water quality sampling shall be maintained and submitted to Ohio EPA, NEDO or the Ashtabula County Health Department upon request.
 - c. To ensure proper operation of sedimentation ponds, the ponds shall be cleaned out completely annually as specified in Appendix O of the PTI application, or when the volume of the settled particles necessitates cleaning based either on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(C)(6)(d).
14. 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:
 - a. The test pad required by OAC Rule 3745-27-08(C)(1)(m) shall be constructed and a report containing the test results shall be submitted to Ohio EPA, NEDO no later than 14 days prior to the initial construction date of the landfill component which the test pad models.
 - b. The earthen material tests required by OAC Rule 3745-27-08(D) shall be performed and the results submitted to Ohio EPA, NEDO no later than seven days prior to the intended use of the material in construction.

- c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, NEDO no later than 45 days prior to the anticipated date of waste receipt in the newly constructed phases.
15. Within 30 days of issuance of this permit approval, the permittee shall submit to Ohio EPA, NEDO revised Closure and Post-Closure Cost Estimates for approval. The cost estimates shall, at a minimum, be revised for inflation in accordance with OAC Rules 3745-27-15 and 3745-27-16 and shall include costs for expansion and post-closure care of the explosive gas extraction system.
16. Upon the effective date of this permit, the permittee shall ensure, due to conflicting statements within the ground water detection monitoring plan, that all assessment monitoring programs will be initiated in accordance with OAC Rule 3745-27-10(E).
17. 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 in an amount at least equal to the current closure and post-closure care cost estimates. The current closure and post-closure care cost estimates must include the cost of the revisions described in Condition Number 15, above.
18. The permittee shall not dispose of solid waste in “non-solid waste disposal areas” along the eastern and southern portion of the landfill as identified in the application for this permit.
19. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit-to-install fee balance, in the amount of \$35,321.19 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 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 PERMIT CONDITIONS

QAC Rule 3745-27-07(H)(4)(b) and “Deemed Acceptable”

OAC Rule 3745-27-07(H)(4)(b) states that “the limits of solid waste placement of the sanitary landfill facility are not located within three hundred feet of the sanitary landfill facility’s property line, unless deemed acceptable by the director.”

The southern side of the landfill does not meet this criterion. The southwest portion of the landfill was filled in the late 1970s and early 1980s with solid waste within 300 feet of the property line. No additional solid waste will be placed in this area. The southeast portion of the landfill was authorized by a permit issued in 1991 and by Director's Final Findings and Orders issued in 2001 to place solid waste within 300 feet of the property line. Sufficient distance will be maintained for proper installation of ground water monitoring wells.

Locating the facility within 300 feet of the property line, as proposed in the PTI application, is hereby deemed acceptable.

OAC Rule 3745-27-07(H)(4)(d) and "Deemed Acceptable"

OAC Rule 3745-27-07(H)(4)(d) states that "the limits of solid waste placement of the sanitary landfill facility are not located within two hundred feet of a stream, lake, or wetland, unless deemed acceptable to the director."

As part of the landfill's development, approximately 0.4 acres of wetlands will be located within 200 feet of new waste placement. These wetlands will not be disturbed during the landfill's development. Also, a stream exists within 200 feet of an existing and capped portion of the landfill. No new waste will be placed in that area.

Locating the facility within 200 feet of a wetland and a stream, as proposed in the PTI application, is hereby deemed acceptable.