

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 03-15314
Application Received: April 25, 2002
Permit Fee: \$14,560.08
Permit Fee Balance: \$14,160.08

Applicant: Evergreen Recycling and Disposal Facility, Inc.
Address: 2625 East Broadway
Northwood, Ohio 43619

Facility: Evergreen Recycling and Disposal Facility, Inc.

Location: The facility is located at 2625 East Broadway, at the intersection of Wales Road and East Broadway in Lake Township in Wood County.

Permit: Vertical Expansion

Issuance Date:

Effective Date:

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.

Ohio Environmental Protection Agency

Chris Korleski, Director

PERMIT SUMMARY

This permit (PTI Number 03-15314) authorizes the vertical expansion of the approved limits of waste placement at the existing Evergreen Recycling and Disposal Facility, Inc. (Facility). The Facility is located at 2625 East Broadway in the city of Northwood in Wood County, Ohio.

This permit authorizes a vertical expansion of the upper limits of waste placement in Cells 9A through 13B. The soil plug covering the waste in Cells 9A through 13B, as depicted in the existing permit, will not be placed as part of the construction of the vertical expansion. The permit also authorizes an expansion of the lower limits of waste placement in unconstructed Cells 11B through 13B. Additionally, Cell 14's airspace will be reduced by changing the slope from 2:1 to 3:1.

The vertical expansion will create an additional 1,456,008 cubic yards of permitted airspace on approximately 120 acres of composite lined area. The expansion will also provide additional disposal service for approximately 2.8 years based on an average gate waste receipt of 417,037 tons per year or 0.5 years based on the authorized maximum daily waste receipt (AMDWR) of 7,500 tons per day. The Facility will have an expected life span of 21.8 years based on the average gate waste receipt.

The Facility will have incorporated into its construction such features as a composite (clay/geosynthetic membrane) liner system, a leachate collection and management system, a leachate recirculation system, a ground water monitoring system, an explosive gas extraction system, and a final closure cap system. The permit also provides for 30 years of post-closure care.

This permit will also grant the applicant an exemption from OAC Rule 3745-27-06(C)(3)(f)(ii), which requires that information be collected at the site for each stratigraphic unit from the ground surface to the bottom of the uppermost aquifer system or to 150 feet below the proposed composite liner system, whichever is shallower.

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

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. 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 facility will operate in compliance with all Ohio laws and regulations. Additional landfill components 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 does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. This permit shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 03-15314 received on April 25, 2002, with subsequent revisions received through April 22, 2005.
5. This permit 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.
6. 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.
7. Nothing in this permit shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations except as specified herein. This permit 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 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 for those excluded from hazardous 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-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.

10. Not later than seven days prior to starting any construction authorized under this permit, the permittee shall submit to Ohio EPA, Northwest District Office (NWDO) and the Wood County Health Department written notification of the anticipated construction start date so that construction at the Facility can be routinely inspected by Ohio EPA, NWDO and the Wood County Health Department before being placed into operation.
11. 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, NWDO not later than 14 days prior to the intended 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 submitted to Ohio EPA, NWDO not later than seven 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 submitted to Ohio EPA, NWDO not later than seven days prior to the use of each geosynthetic material authorized by this permit.
 - d. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, NWDO not 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, NWDO provides written concurrence of the construction certification report for that phase.
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 Municipal Solid Waste Landfill Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA and the Wood County Health Department, upon request.
 - b. A summary of each month's daily waste receipts and leachate generation volumes shall be submitted to Ohio EPA, NWDO by the 15th day of the following month. The summary report shall include the day of the month with

the corresponding tonnage of waste received for that day. In addition, the summary report shall include the monthly totals of in-district and out-of-district waste received for each category of the reported waste streams. The report shall also provide the day of the month with the corresponding leachate volumes transported off site and treatment destinations.

- c. 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, and 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, NWDO and the Wood County Health Department, upon request.
 - d. To ensure proper operation of sedimentation ponds, the ponds shall be cleaned out completely annually or more frequently as necessary 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(D)(3).
 - e. The leachate collection piping and storage systems shall be inspected at least yearly and shall be maintained to prevent blockage or clogging that may impede proper collection of leachate.
13. The Facility shall be constructed and filled in accordance with the six-series drawings submitted as part of the PTI application. Construction of the final cap system shall commence in accordance with these drawings.
 14. To the extent that this permit specifies requirements different from or in addition to previous solid waste permits issued for the Facility, the terms and conditions contained herein shall take precedence over any conflicting requirements.
 15. Prior to waste acceptance in any disposal area newly authorized by this permit, 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.
 16. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit to install fee balance, in the amount of \$14,160.08 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. 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 CONDITIONS

EXEMPTION FROM OAC Rule 3745-27-06(C)(3)(f)(ii)

The permittee has requested an exemption from OAC Rule 3745-27-06(C)(3)(f)(ii), which states, in part:

“Site investigation. A hydrogeologic and geotechnical site investigation report(s), which shall at a minimum include the following:

Information collected at the site for each stratigraphic unit from the surface to the bottom of the uppermost aquifer system or to one hundred and fifty feet below the proposed composite liner system, whichever is shallower. The information will be used to prepare the site investigation report narrative required in paragraph (C)(3)(d) of this rule.”

The permittee has requested an exemption from the requirement to collect information for each stratigraphic unit to the full depth of 150 feet. The uppermost aquifer system (UAS) beneath the Facility extends to a depth greater than 300 feet and consists of bedrock below the uppermost 15 feet. The permittee has collected information to a depth of 65 feet below the landfill liner, and encountered 50 feet of bedrock. Information collected revealed that the bedrock is physically and hydraulically homogenous. The permittee contends based on the information collected that collecting information from depths below 65 feet is unlikely to provide useful additional data because the bedrock is not expected to significantly change with depth. This determination is supported by published authoritative information regarding the thickness and physical characteristics of the bedrock UAS in the area of the Facility. Also, additional information would not likely lead to a change or modification of the current ground water monitoring system that has been in place at the Facility since 1990.

Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, including scrap tires, from any requirement of ORC Chapter 3734 or any rules adopted thereunder if granting the exemption is unlikely to adversely affect the public health or safety or the environment.

Because the UAS underlying the Facility is comprised of bedrock, and because the permittee has collected and included in the hydrogeologic and geotechnical site

investigation report information regarding the UAS to a depth of 65 feet below the bottom of the proposed composite liner system, and because the thickness and physical characterization of the bedrock UAS is well documented in the area surrounding the Facility, and because the characteristics of the bedrock UAS are unlikely to change significantly beyond the depth from which the information has been collected and included in the permit to install application, and because additional information from a boring deeper than 65 feet below the proposed composite liner system is unlikely to result in changes to the ground water monitoring system currently in place at the Facility, granting the permittee an exemption from the requirement of OAC Rule 3745-27-06(C)(3)(f)(ii) to include in the hydrogeologic and geotechnical site investigation report information collected from each stratigraphic unit from the ground surface to the bottom of the UAS or to 150 feet below the proposed composite liner system is unlikely to adversely affect the public health or safety or the environment. Therefore, the permittee is hereby exempted, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), from the requirement of OAC Rule 3745-27-06(C)(3)(f)(ii) to collect and include in the hydrogeologic and geotechnical site investigation report information to a depth of 150 feet below the proposed composite liner system.