



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

March 17, 2010

CERTIFIED MAIL

Central Waste, Inc.
12003 Oyster Road
Alliance, OH 44601

RE: Permit to Install: Central Waste Transfer Station
PTI #02-23005
New Solid Waste Transfer Facility

RECEIVED
MAR 17 2010
FIC

Dear Sir or Madam:

The Ohio Environmental Protection Agency, pursuant to Ohio Revised Code Chapter 3745-31 and the rules adopted thereunder, has reviewed the application for a permit with accompanying detail plans, specifications and/or information (hereinafter referred to as "application") regarding the above-referenced facility. This application has been approved by the Director subject to the conditions of compliance contained in the permit approval enclosed herewith and with all applicable laws, rules and standards. All construction must be supervised by an engineer or expert qualified in such work. Because the permit approval contains conditions of compliance, I urge you to read it carefully.

You are requested to submit within thirty (30) days of the date of issuance of this Permit to Install, the required permit fee balance of two thousand one hundred dollars (\$2,500.00 - \$400.00 application fee = \$2,100.00), payable to **Treasurer, State of Ohio**. Please send the required payments to:

Ohio Environmental Protection Agency
Permit to Install Fee
Dept L-2711
Columbus, OH 43260-2711

Payment of the \$2,100.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Central Waste Transfer Station- PTI #02-23005

Page 2

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Appeals Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions, please contact the Ohio EPA District Office to which you submitted your application.

Sincerely,



Kimberly Reese
Systems Management Unit
Division of Solid & Infectious Waste Management

Enclosures: Permit to Install and Invoice

cc: Jerry Parker, NEDO, DSIWM
Scott Hester, CO, DSIWM
Mary Helen Smith - Mahoning County General Health District

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL

OHIO E.P.A.

MAR 17 2010

ENTERED DIRECTOR'S JOURNAL

Application Number: 02-23005
Application Received: December 4, 2008
Permit Fee: \$ 2,500.00
Permit Fee Balance: \$ 2,100.00

Applicant: Central Waste, Inc.
12003 Oyster Road
Alliance, OH 44601

Name: Central Waste Transfer Station
Location: 12009 Oyster Road
Alliance, OH 44601

PTI: New Solid Waste Transfer Facility

Issuance Date: MAR 17 2010

Effective Date: MAR 17 2010

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 of hereof.

Ohio Environmental Protection Agency



Chris Korleski, Director

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.

By: [Signature] Date: 3-17-10

PERMIT SUMMARY

This Permit to Install (PTI Number 02-23005) (permit), authorizes the construction of a new solid waste transfer facility, known as the Central Waste Transfer Station (Facility), located at 12009 Oyster Road, Smith Township, Mahoning County. Central Waste, Inc. (CWI) is the proposed owner and operator, and is the permit applicant.

The proposed solid waste transfer facility will be an enclosed facility and can accept waste via both rail car and truck. The proposed facility has been designed in accordance with OAC Rule 3745-27-21.

This permit grants CWI a variance from OAC Rule 3745-27-22(D), which prohibits the waste handling areas of the solid waste transfer facility from being located within two hundred feet of any surface waters of the state, as defined in OAC Rule 3745-1-02.

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

PERMIT CONDITIONS

1. In accordance with OAC Rule 3745-27-02(l)(1), this permit-to-install shall terminate three (3) years after its effective date if the owner or operator 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 new facility.. In accordance with OAC Rule 3745-27-02(l)(3), this termination date may be extended by up to 12 months if application is made to the director prior to the expiration of the three year period and the party provides justification for any such extension.
2. The director of the Ohio Environmental Protection Agency (Ohio EPA), 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).
3. 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.

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 permit shall apply only to those facilities shown on the plans submitted as part of PTI application number 02-23005 received on December 4, 2008, with subsequent revisions submitted on April 3, 2009; June 22, 2009; and September 25, 2009.
6. 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.
7. The owner or operator shall provide for the proper maintenance and operation of the solid waste transfer facility in accordance with the provisions of OAC Rule 3745-27-23.
8. 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 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.
9. This permit 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 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.
11. 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.
12. 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.
13. Ohio EPA, Northeast District Office (NEDO) and the Mahoning 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 Facility can be routinely inspected by Ohio EPA, NEDO and the Mahoning County General Health District before the Facility is placed into

operation.

14. The permittee shall provide for the following inspections and maintenance of the Facility:
 - 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, NEDO and the Mahoning County General Health District 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 shall be in place prior to beginning any other construction activities.
16. In accordance with OAC Rule 3745-27-23(Y), CWI shall not accept waste materials to any area of the 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, certifying that the 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 Facility;
 - d. The Facility has been adequately prepared for operation; and
 - e. The prepared Facility has been inspected by the Mahoning County General Health District.
17. In accordance with OAC Rule 3745-27-23(Y), the closure financial assurance instrument meeting the requirements of OAC Rule 3745-27-15, shall be executed and funded prior to solid waste acceptance at the facility.

END OF PERMIT CONDITIONS

VARIANCE

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

“The waste handling areas of the solid waste transfer facility are not located within two hundred feet of any surface waters of the state, as defined in rule 3745-1-02 of the Administrative Code.”

Specifically, the proposed Facility will be located in an area that lies within 29 feet from a 0.62-acre ORAM Category 2 isolated wetland identified as “Wetland G” and is also located within 146 feet from a 0.25-acre ORAM Category 2 jurisdictional wetland identified as “Wetland D.” The proposed transfer station will be housed in a structure built in 2006 as a C&DD Transfer facility.

Wetland G was delineated in a February 23, 2007 report, revised through August 31, 2007. The delineation was concurred with by Ohio EPA on December 26, 2007. Wetland D was delineated in a report that was accepted and approved by the U.S. Army Corps of Engineers on November 28, 2007.

CWI has demonstrated protection of these surface water sources by including in their permit application that typical solid waste acceptance will be plastic-wrapped and baled solid waste as well as bulk C&DD materials, and that waste transfer will occur within an enclosed structure. The leachate collection and storage system has been proposed to be modified to include dual-contained, below-grade leachate piping with a dual-contained sump, and location of the dual-contained, above-ground storage tank to within the waste handling area so that any leakage is readily observable. Both modifications are more stringent than that required under OAC Chapter 3745-27 for solid waste transfer facilities. In addition, the permit application contains an Emergency Action Plan (EAP) which addresses spill contingencies from rail cars staged outside the building as well as any leachate spills from within the building. Municipal solid waste is proposed to arrive as wrapped bales, with bales envisioned to remain intact throughout the transfer process. The facility has an approved storm water pollution prevention plan.

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 is unlikely to result in a violation of any other requirements of ORC Chapters 3704., 3714., 3734., or 6111., and any rules adopted thereunder.

Because CWI has proposed additional engineering controls, such as the manner by which most waste will be received, dual containment of any leachate, and written spill contingencies, granting a variance from OAC Rule 3745-27-22(D) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to OAC Rule

Central Waste Transfer Station
PTI No. 02-23005
Page 6 of 6

3745-27-03(C), the permittee is hereby granted a variance from OAC Rule 3745-27-22(D), which requires that the waste handling areas of the solid waste transfer facility are not located within two hundred feet of any surface waters of the state, as defined in OAC Rule 3745-1-02. This variance shall remain in effect throughout the effective period of this permit unless otherwise revoked.

END OF VARIANCE



Division of Solid and Infectious Waste Management
Summary of Public Comments and Responses

Project: Central Waste, Inc.
Central Waste Transfer Station
Permit-to-Install Application No. 02-23005

Agency Contacts for this Project:

Division Contact: Lynn Sowers
Northeast District Office
Division of Solid and Infectious Waste Management
(330) 963-1254
lynn.sowers@epa.state.oh.us

Public Involvement Coordinator: Kristopher Weiss
Public Interest Center
(614) 644-2160
kristopher.weiss@epa.ohio.gov

A draft permit-to-install was issued for the proposed solid waste rail transfer facility known as the Central Waste Transfer Station, 12005 Oyster Road, Smith Township, Mahoning County. A public hearing was held on January 13, 2010, and written comments on the draft permit-to-install were accepted until January 20, 2010. No questions or comments were received for the public record at the January 13, 2010 hearing. The following are responses to questions and comments received during the comment period pertinent to the proposed permit. Comments received are in bold italic print, followed by Ohio EPA's responses.

By law, Ohio EPA has authority to consider specific issues related to the protection of the environment and public health. Some public concerns may fall outside the scope of that authority. For example, concerns regarding compatible land use with neighboring properties are often best addressed through local zoning at the township or county levels. Typically, zoning issues may include concerns relative to compatible truck or rail traffic, noise, odors, light pollution, and property values.

Comment 1: *Resident's homes sit adjacent to the railroad line serving the proposed transfer facility, and concerns were raised regarding the effect the proximity of the rail cars stopped on the rail line awaiting ingress or egress to the transfer facility will have on their home's appearance and the associated property value of the homes and home-based businesses.*

Response 1: While Ohio EPA certainly understands the concern, Ohio EPA only has the authority to consider issues which occur within the defined rail transfer facility boundary. Ohio EPA does not have the authority to consider real or perceived negative impacts upon property values of surrounding properties, with the State of Ohio deferring to local land use decisions such as planning and zoning. Nuisance odors emanating from the rail cars as they may be parked adjacent to your property may be under the jurisdiction of the Mahoning Trumbull Air Pollution Control Agency.

Comment 2: *One resident's home which relies upon well water sits adjacent to the railroad line serving the proposed transfer facility, and concerns were raised regarding the effect of potential leakage from the rail cars stopped on the rail line seeping into local ground water and the well which the residence relies upon.*

Response 2: While Ohio EPA certainly understands the concern, Ohio EPA only has the authority during our review of the solid waste transfer facility permit application to consider issues which occur within the defined rail transfer facility boundary. Ohio EPA does have the authority to consider potential fluid releases from rail cars once they are within the transfer facility boundary as a part of the permit review process; and CWI has stated in its PTI application that the proposed permit states that rail cars staged at the facility will be water tight.

The facility's surface water run-off is regulated through Ohio EPA, Division of Surface Water and Ohio Revised Code 6111. Any discharges from this facility are to be reported to Ohio EPA.

End of Responsiveness Summary

STATEMENT OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR ASSESSMENT OF SOLID WASTE PERMIT TO INSTALL ISSUANCE FEE

DATE INVOICED:
03/17/2010

PTI Number
02-23005

Central Waste Transfer Station
12003 Oyster Road
Alliance, OH 44601

Pursuant to section 3745.11(Q) of the Ohio Revised Code (ORC), the enclosed Solid Waste Permit Issuance fee is required.

Payment is due by 4:00 pm on **04/16/2010**

Make checks payable to: *Treasurer, State of Ohio*

Please tear off the bottom portion of this statement and return with your PTI fee to:

**Ohio EPA
Dept L-2711
Columbus, OH 43260-2711**

Issuance of this Permit is conditional upon receipt of the specified fee by the payment due date. Failure to submit the required fee will result in an assessment of late penalties in accordance with ORC Sections 3745.11(Q) and (V).

Solid Waste Fee Summary:

Assessment Summary	Fee
Solid Waste Facility	
Permit Fee	\$2,500.00
Minus Application Fee	\$400.00
Total Due	\$2,100.00

Please direct all inquiries regarding this invoice to:

Kimberly Reese
(614) 728-5363, Phone
(614) 728-5315, FAX
kim.reese@epa.state.oh.us, e-mail

Be sure to reference the following

Revenue ID	Core ID
754131	293284

Please detach the lower portion of the invoice and return with payment to ensure proper credit.

DETACH HERE

DETACH HERE

Facility Information Central Waste, Inc. Central Waste Transfer Station 12003 Oyster Road Alliance, OH 44601	For Ohio EPA use only Check Number Check ID Check Date Check Amount	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">PTI No</td> <td>02-23005</td> </tr> <tr> <td>Revenue ID</td> <td>754131</td> </tr> <tr> <td>Core ID</td> <td>293284</td> </tr> <tr> <td>TYPE Code</td> <td>PTISW</td> </tr> <tr> <td>Amount Due</td> <td>\$2,100.00</td> </tr> </table>	PTI No	02-23005	Revenue ID	754131	Core ID	293284	TYPE Code	PTISW	Amount Due	\$2,100.00
PTI No	02-23005											
Revenue ID	754131											
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SEND CHECK TO Ohio EPA, Dept L-2711, Columbus, OH 43260-2711