

OHIO ENVIRONMENTAL PROTECTION AGENCY
(PERMIT TO INSTALL)

Application No.: 17-1194
Application Received: 06/12/93
Solid Waste Permit Fee Balance: \$79,600.00
Air Permit Fee: \$1,200.00

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Applicant: Apex Energy, Inc.
Address: P.O. Box 1298
City, State, Zip: Steubenville, Ohio 43952
Telephone: (614) 282-5301

Name: Apex Sanitary Landfill
Location: Located east of Jefferson County Road 78 and Harrison County Road 51, approximately one mile north of State Route 646 on a 1741 acre property in Springfield Township, Jefferson County
PTI: New Municipal Solid Waste Landfill Facility

Issuance Date: JAN 21 1998

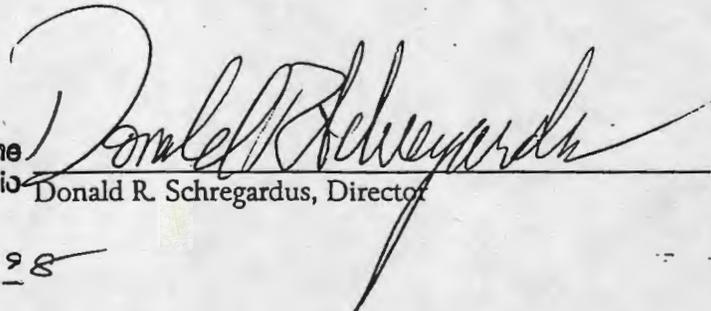
Effective Date: JAN 21 1998

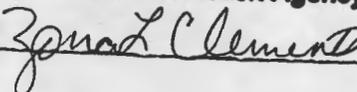
The above named entity is hereby issued a permit approval (Permit to Install) for the above described source pursuant to Chapter 3745-31 of the Ohio Administrative Code (OAC). Issuance of this permit approval (Permit to Install) does not constitute expressed or implied approval or agreement that, if 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.

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 document as filed in the records of the Ohio Environmental Protection Agency.


Donald R. Schregardus, Director

By:  Date: 1-21-98

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PTI SUMMARY

This is a FINAL version of a Permit to Install (PTI #17-1194) that would approve the construction of the proposed Apex Sanitary Landfill, owned by Apex Energy, Inc. The facility is proposed to be located east of Jefferson County Road 78 and Harrison County Road 51, approximately one mile north of State Route 646 on a 1741 acre property in Springfield Township, Jefferson County.

The proposed solid waste disposal area is 118 acres. The PTI proposes an authorized maximum daily waste receipt (AMDWR) of 1,500 tons. This permit would authorize approximately sixteen (16) million cubic yards of disposal capacity. The operational life of the landfill would be approximately 20.7 years based on the AMDWR. The facility anticipates an average gate rate of 1,000 tons per day which translates to about 32 years until the landfill reaches its current design capacity.

This landfill will incorporate into its construction such features as a composite (5 foot thick recompacted soil liner/geosynthetic membrane) liner system, a leachate collection and management system, a ground water monitoring system, an explosive gas management system, a final closure cap system, and 30 years of post-closure care.

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

PTI CONDITIONS

SOLID WASTE CONDITIONS

Substantial construction for installation must take place within eighteen (18) months of the effective date of this permit. This deadline may be extended by up to twelve (12) months, if application is made to the Director of Environmental Protection (Director) no less than sixty (60) days prior to the expiration of the eighteen (18) month period and the party shows just cause for any such extension.

The Director or his authorized representatives, 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 disposal facility).

The proposed facility shall be constructed in accordance with the plans, specifications, and information submitted as a part of the application for this permit to the Director. There may

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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 following 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 the Ohio EPA if the proposed municipal solid waste disposal facility is inadequate or cannot meet applicable standards.

Issuance of this permit does not relieve the applicant of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.

1. This approval shall apply only to those facilities shown on the plans submitted as part of the permit to install application.
2. The authorized maximum daily waste receipt (AMDWR) is one thousand five hundred (1,500) tons.
3. This permit 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.
4. 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.
5. Nothing in this permit shall be interpreted to release the permittee from responsibility under Chapters 3704, 3734, or 6111 of the Ohio Revised Code (ORC), under the Federal Clean Water Act or the Comprehensive Environmental Response, Compensation, and Liability Act, or from other applicable laws for remedying conditions resulting from any release of contaminants to the environment.
6. The Ohio EPA Southeast District Office (SEDO) shall be notified 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 the Ohio EPA SEDO before the phases are placed in operation.
7. This permit does not include approval for the acceptance of any hazardous or infectious wastes, except for those excluded from hazardous waste or infectious waste regulation by ORC Chapter 3734.
8. 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:

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- a. The test pad required by OAC 3745-27-08(C)(1)(m) shall be constructed and a report containing the test results shall be submitted to the Ohio EPA SEDO no later than fourteen (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 3745-27-08(D) shall be performed and the results submitted to the Ohio EPA SEDO no later than seven (7) days prior to the intended use of the material in construction.
 - c. The construction certification report required by OAC 3745-27-08(H) shall be submitted to the Ohio EPA SEDO no later than forty-five (45) days prior to the anticipated date of waste receipt in the newly constructed phase(s).
9. 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 the Ohio EPA SEDO 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, any corrective measures, and the date and weather conditions for any water quality samples, shall be maintained on-site and submitted to the Ohio EPA SEDO upon request.
 - c. To ensure proper operation of sedimentation ponds, the ponds shall be cleaned out completely every five (5) years, or when the volume of settled particles necessitates cleaning based on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(C)(6)(d).
10. This permit does not provide for 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 the Ohio EPA.
11. Prior to construction of any facility disposal cell or any structural component required for construction of the facility's disposal cells, the permittee shall:

- a. Collect representative samples of the in-situ earthen bearing materials and the soil and geosynthetic constituents of the proposed composite liner system, and perform field and/or laboratory testing on the samples to determine the material properties and strength characteristics of these materials.
- b. Perform and submit, for concurrence, to Ohio EPA SEDO a revised slope stability analysis including rationale, calculations, drawings and data detailing the stability of the landfill. The analysis must be conducted using measured values obtained from test results required by Condition No. 11(a), above, and assumed minimum values for other structural materials, such as the waste and cap components. The material properties and strength characteristics for each material used in the analyses should be reasonable and appropriate based on site observation and published regional data. Such analyses shall address and/or include, at a minimum, the following:
 - i. Static and dynamic seismic analyses using worst case scenario cross-sections for both rotational and translational modes of failure for the interim and final configurations of the landfill, and
 - ii. Dynamic (seismic) analyses must account for the maximum expected horizontal acceleration depicted on a seismic hazard map, with a ninety per cent (90%) or greater probability that the acceleration will not be exceeded in two hundred fifty (250) years, or the maximum expected horizontal acceleration based on site-specific seismic risk assessment, and
 - iii. Specific minimum shear strength parameters for each structural component to provide an acceptable factor of safety, and
 - iv. Details regarding any construction methods used to ensure acceptable stability requirements.
- c. Submit to Ohio EPA SEDO, for concurrence, additional elements to be incorporated into the Quality Assurance/Quality Control (QA/QC) Plan to address construction, observation, sampling, and testing requirements to ensure short term and long term stability of the facility. Such additional QA/QC information shall include, at a minimum:
 - i. Specifications regarding sampling and testing procedures. This information must demonstrate that the in-situ earthen bearing materials and fill materials intended for use in construction will have adequate material properties and strength characteristics to meet the values established in the slope stability analyses submitted pursuant to Condition No. 11(b), above. The QA/QC Plan

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shall, at a minimum, address sampling and testing procedures for the material intended for use in constructing the following:

- a. structural fills, including sidehill fills, and
- b. any proposed benching and/or drainage system for proposed sidehill fills, and
- c. added geologic material, and
- d. composite bottom liner system and final cap system.

Testing of the materials intended for use in construction of the above components shall be performed, and the results of such testing submitted to Ohio EPA SEDO, not later than fourteen (14) days prior to use of the materials in construction, and

- ii. Specifications and information regarding placement, construction, sampling, and testing methods and procedures to be used during construction of the facility components specified in Condition No. 11(c)(i)(a) through (d) above, to ensure that the material properties and strength characteristics of the constructed components specified in the slope stability analyses are met.

- 12. If the slope stability analyses performed and submitted under Condition No. 11(b), above, do not yield adequate factors of safety for slope stability, or if the testing performed pursuant to Condition No. 11(c), above, does not demonstrate that the materials intended for use in construction meet the material properties and strength characteristics necessary to ensure that the slope stability analyses meet the minimum specifications, then the permittee shall revise the facility design or propose use of alternate materials as necessary such that adequate factors of safety are achieved. The permittee shall obtain any necessary authorizations from Ohio EPA, as appropriate, prior to beginning construction on the facility structural components.
- 13. 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 prior to waste acceptance at the facility.
- 14. Prior to construction of disposal areas in a wetland, the permittee shall obtain all applicable permits and approvals required pursuant to Sections 401 and/or 404 of the Federal Clean Water Act (33 United States Code sections 1341 and 1344) and shall submit copies to the Ohio EPA SEDO.
- 15. Future waste placement proposed within two hundred (200) feet of a wetland, as restricted by OAC 3745-27-07(H)(4)(d), is hereby deemed acceptable provided that any

facility construction activities subject to the requirements of sections 401 and 404 of the Clean Water Act (33 United States Code Sections 1341 and 1344) shall not occur without first obtaining applicable permits from the Ohio EPA Division of Surface Water and U.S. Army Corps of Engineers necessary for that specific construction activity.

16. Prior to the disturbance of the area determined to be contaminated in the Hydrogeologic Site Investigation Report, the permittee shall obtain an authorization to excavate the contaminated materials according to OAC Rule 3745-27-13.
17. The permittee shall, within sixty (60) days of the effective date of this permit, submit revisions to the Hydrogeologic Site Investigation Report to address the first three deficiencies identified in the Ohio EPA August 6, 1996 comment letter. The revisions shall consist of revising section B.4, removing plates A-69 through A-72 and revising plate A-50 as indicated in the permittee's responses.

END OF SOLID WASTE CONDITIONS

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AIR POLLUTION CONTROL CONDITIONS

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

NOTICE OF INSPECTION

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above-named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

CONSTRUCTION OF NEW SOURCES

The proposed source(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above 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 facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

If the construction of the proposed source(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of Ohio Administrative Code (OAC) Rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be

installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet applicable standards.

PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 30 days of the effective date of this permit to install.

PUBLIC DISCLOSURE

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC Rule 3745-49-03.

APPLICABILITY

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

BEST AVAILABLE TECHNOLOGY

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

PERMIT TO OPERATE APPLICATION

A Permit to Operate application must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be filed no later than thirty days after commencement of operation.

SOURCE OPERATION AFTER COMPLETION OF CONSTRUCTION

This facility is permitted to operate each source described by this permit to install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws and regulations.

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AIR EMISSION SUMMARY

The air contaminant sources listed below comprise the Permit to Install for Apex Sanitary Landfill located in Jefferson County. The sources listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other State or Federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

Ohio EPA Source No.	Source Identifications/ Description	BAT Determination	Applicable Federal and OAC Rules	Permit Allowable Mass Emissions and/or Control & Usage Requirements
F001	Paved and Unpaved Roads and Parking Areas	Sweeping with water assist/chemical stabilization/watering /resurface with aggregate/asphalt/ speed reduction/ tarping/prompt spill clean-up/avoiding unpaved area/wheel washer and there shall be no visible particulate emissions except for a period of time not to exceed one minute for paved surfaces and three minutes for unpaved surfaces during any sixty-minute observation period.	3745-31-05 3745-17-08(B) 3745-17-07(B) 3745-15-07 3745-15-06	P.M.-8.00 T/yr and there shall be no visible particulate emissions except for a period of time not to exceed one minute for paved surfaces and three minutes for unpaved surfaces during any sixty minute observation period.

F002	Refuse Disposal Activities/ Dumping/ Spreading/ Compacting/ Covering	Water truck required/ operating practices/ recordkeeping/ inspections and reports and no visible part- iculate emissions that exceed ten percent opacity as a six-minute average.	3745-31-05 3745-17-08(B) 3745-17-07(B) 3745-15-06 3745-15-07 40 CFR Part 60, Subpart WWW	PM-2.34 T/yr and no visible particulate emissions that exceed ten percent opacity as a six- minute average.
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SUMMARY
 TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons/Year</u>
P.M.	10.34

MAINTENANCE OF EQUIPMENT

This source and its associated air pollution control system(s) shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers in order to minimize air contaminants emissions.

MALFUNCTION/ABATEMENT

In accordance with OAC Rule 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the Ohio EPA/DAPC.

Except as provided by OAC Rule 3745-15-06(A)(3), scheduled maintenance of air pollution control equipment that requires the shutdown or bypassing of the air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

AIR POLLUTION NUISANCES PROHIBITED

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

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ADDITIONAL SPECIAL AIR POLLUTION CONTROL CONDITIONS

1. Applicable State Regulation(s):

The following rules of the Ohio Administrative Code (OAC) and the Code of Federal Regulations (CFR) establish the applicable emission limitations and/or control requirements for this source:

- OAC Rule 3745-31-05
- OAC Rule 3745-17-08(B)

(This condition in no way limits the applicability of other requirements of the Ohio Administrative Code to this source.)

2. Operations and Authority

The specific operations, equipment and/or property, which constitute the air contaminant source and which are covered by this permit are listed in the following table with the applicable rules of the Ohio Administrative Code (OAC), and Ohio Revised Code (ORC).

<u>Operations, Equipment and/or Property</u>	<u>Applicable Rules or Regulations</u>
All Regulated Operations Authority to Enter	ORC 3704.03
Refuse Disposal, Cover, Soil Handling	OAC Rule 3745-17-08 OAC Rule 3745-15-07 OAC Rule 3745-31-05

Authority to Enter

Any representative of the Director of the Ohio Environmental Protection Agency may, upon presentation of proper identification, enter upon any portion of the property including any improvements thereon, at any reasonable time, to make inspections, take samples, conduct tests and examine records or reports pertaining to any emission of air contaminants and any monitoring equipment, emission control equipment or methods. No operator or agent of this facility shall act in any manner to refuse, hinder, or thwart legal right of entry.

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3. Asbestos Disposal

This facility shall not accept or dispose of any asbestos or asbestos-containing materials that is subject to the provisions of NESHAP, 40 CFR Part 61, Subpart M. The receipt of any asbestos-containing waste without proper approval of the Ohio EPA is a violation of the NESHAPS for asbestos and the OHIO EPA Permit to Install rules.

4. New Source Performance Standard

This source shall comply with the federal New Source Performance Standard, 40 CFR Part 60, Subpart WWW, for municipal solid waste landfills.

5. Solid Waste Disposal Activities (F002)

- I. All vehicles hauling solid wastes, material, soils, and aggregate shall be closed, covered or tarped coming to or leaving the facility in order to minimize visible particulate emissions of fugitive dust and to eliminate load loss.
- II. This facility shall ensure that solid wastes, materials, soils or aggregate are deposited, spread and compacted in such a manner as to minimize or prevent visible particulate emissions of fugitive dust.
 - A. When dumping solid wastes, materials, soils, or aggregate, the facility shall implement the following procedures:
 1. Any loads which appear to contain dusty solid wastes, materials, soils, or aggregate or are suspected to contain dusty solid wastes, materials, soils, or aggregate shall be watered prior to beginning dumping of the load.
 2. No dusty solid wastes, materials, soils, or aggregate shall be dumped during periods of high wind speed unless it has been treated to prevent it from becoming airborne.
 3. The permittee shall ensure that all truckloads of solid wastes, materials, soils, and aggregate are unloaded in a manner which will minimize the drop height of the solid wastes, materials, soils, or aggregate and dumped as near to the point of final placement as possible.

4. During the dumping of any load of the solid wastes, materials, soils, or aggregate in which dusty solid wastes, materials, soils, or aggregate become airborne, the solid wastes, materials, soils, or aggregate shall be watered as necessary.
- B. When handling and stockpiling the solid wastes, materials, cover material or aggregate, the facility shall implement the following procedures:
1. Any dusty solid waste materials to be stored prior to disposal, shall be watered, as necessary, or have a temporary soil cover. To minimize handling of the solid waste material, spreading and compacting shall occur in one operation.
 2. The facility shall minimize the handling and stockpiling of cover material. Unvegetated cover material, soil, aggregate and solid waste material storage piles must be periodically wetted with water and shall be handled in such a manner as to minimize or eliminate visible particulate emissions of fugitive dust such that visible particulate matter emissions do not exceed one minute during any sixty minute observation period as determined by method 22 of 40 CFR Part 60. The frequency and amounts of this water application will depend on weather conditions, cover material conditions and soil conditions.
- III. A record of water applications required in special terms and condition No. II shall be maintained at the facility site for a period of not less than three years and shall be made available to the Director, or any authorized representative of the Director, for review during normal business hours.
- IV. The visible particulate emissions of fugitive dust from solid waste material handling (unloading, spreading and compacting) and cover soil application operations (unloading, spreading and compacting) described in special terms and conditions No. I and II shall not exceed ten percent (10%) opacity as a six-minute average to be determined using Test Method 9 as defined in OAC Rule 3745-17-03(B).
- V. The owner or operator shall not initiate or allow any salvage operation to be conducted at this location without prior approval of the Ohio EPA.
- VI. The owner or operator of this facility shall not expand the boundaries of this facility beyond those described in this Permit to Install application without prior written approval of the Ohio EPA.

- VII. There shall be no open burning in violation of Ohio Administrative Code 3745-19 at this facility.
- VIII. This facility shall be limited to no more than 429,000 tons of solid waste material per calendar year. In order to keep track of the amounts of solid waste material disposed during the year, the facility shall maintain records of the weight of material received per day.
- IX. These records shall be maintained for a period of not less than three years and the records shall be available for review by the Director or his representative during normal business hours.
- X. This facility shall maintain adequate barriers, fences and gates to restrict and limit access to the disposal site to only authorized dumpers.

F001 - Plant Roadways and Parking

In order to control visible particulate emissions of fugitive dust from the roadways and parking areas, this facility shall implement the following control measures:

1. For Paved Roadways,
 - A. This facility shall operate and maintain a spray system to apply water or suitable dust suppression chemicals at least once daily and more often if necessary on all paved roads and parking areas in order to minimize or eliminate fugitive dust.
 - B. This facility, by whatever means at their disposal, shall maintain the paved roadways within the facility free of gross quantities of mud or dust to prevent tracking of materials onto the public roadways and onto the sides of the paved roadways, which are outside the facility. This action shall be performed as often as necessary.
 - C. Should materials, as stated above, be deposited onto the public roadways at the point(s) of entry or exit to this facility, such material shall be cleaned off of the public road on a daily basis, at a minimum.
 - D. In order to minimize the deposit of mud or foreign materials onto public roadways from this facility, all vehicles which enter or exit the facility, and which travel the public roadways, while in the facility, shall remain on the developed facility

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roadways and parking lots to the extent possible to avoid picking up mud or other materials on the vehicle tires or undercarriages.

- E. All materials which are spilled on the facility roadways and parking areas must be cleaned up promptly to avoid tracking the material.
 - F. Speed zones of no more than five miles per hour (5 mph) shall be established, posted and enforced by the owner or operator for all vehicles within the facility or facility-controlled access roads in order to minimize or eliminate fugitive dust.
 - G. For the paved roadways and parking areas, there shall be no visible particulate emissions except for a period of time not to exceed one minute during any sixty-minute observation period with compliance to be determined using Test Method 22 as defined in OAC rule 3745-17-03 (B)(4).
2. For Unpaved Roadways and Parking Lots:
- A. The facility roadbeds and parking areas shall be aggregate covered, unless paved. The permittee shall apply suitable dust suppression materials as often as necessary in order to minimize or eliminate fugitive dust. The use of dust suppression chemicals may be supplemented by application of water but the use of dust suppression chemicals shall be the primary method of dust control.
 - B. Should materials, as stated above in Condition 1B, above, be deposited onto the public roadways at the point(s) of entry or exit to this facility, such material shall be cleaned at a minimum off of the public road on a daily basis.
 - C. In order to minimize the deposit of mud or foreign materials onto public roadways from this facility, all vehicles which enter or exit the facility, and which travel the public roadways, while in the facility, shall remain on the developed facility roadways and parking lots to the extent possible to avoid picking up mud or other materials on the vehicle tires or undercarriages.
 - D. All materials which are spilled on the facility roadways must be cleaned up promptly to avoid tracking the material.
 - E. Speed zones of no more than five miles per hour (5 mph) shall be established, posted and enforced by the owner or operator for all vehicles within the facility or facility-controlled access roads in order to minimize or eliminate fugitive dust.

- F. There shall be no visible particulate emissions from any unpaved roadway or parking lot, except for a period of time not to exceed three minutes during any sixty-minute observation period with compliance to be determined using Test Method 22 as defined in OAC Rule 3745-17-03(B)(4).
3. The roadways and parking lots watering requirements described above shall be waived during wet conditions when there is sufficient moisture to prevent visible particulate emissions of fugitive dust or when the temperature is below 32°F; chemical dust suppressants are to be used as needed with no temperature limitations.
4. This facility shall maintain the following records:
- A. the dates and type of cleanup of any materials deposited on the public roadways;
 - B. the date, time, and method of cleaning the facility's paved roads;
 - C. the date and time when dust suppressants or water are applied to paved and unpaved roadways and parking lots (if water is not used due to wet conditions or temperature, this shall be documented).
 - D. the amount of dust suppressant chemicals purchased per year and the total amounts applied during the year.

These records shall be maintained at the facility for a period of not less than three years and shall be available for review by the Director or his representative during normal business hours.

END OF AIR POLLUTION CONTROL CONDITIONS

END OF CONDITIONS

Pursuant to ORC Sections 3745.11(Q) and (V), payment of the Solid Waste Permit to Install fee balance, in the amount of seventy nine thousand six hundred dollars (\$79,600.00) payable to "Treasurer, State of Ohio", shall be submitted to the 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. 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).

Apex Sanitary Landfill (PTI No. 17-1194)
Jefferson County
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Pursuant to ORC Section 3745.11(B), payment of the Air Pollution Control Permit to Install fee, in the amount of one thousand two hundred dollars (\$1,200.00) 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 shall be submitted within thirty (30) days of the effective date of this permit. Failure to timely submit the required permit fee will result in assessment of late penalties in accordance with OAC Rule 3745-78-05.

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