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OhioEPA

State of Ohio Environmental Protection Agency

STREET ADDRESS:
1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

Re: Permit to Install
Fayette County
Application No: 01-6857

CERTIFIED MAIL

October 22, 1997

FAYETTE COUNTY C&DD FACILITY
DELBERT HAINES
110 EAST COURT STREET
WASHINGTON COURT HOUSE, OH 43160

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions I urge you to read it carefully.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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 Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo, Manager
Field Operations & Permit Section
Division of Air Pollution Control

cc: US EPA
CENTRAL DISTRICT OFFICE, DAPC

George V. Voinovich, Governor
Nancy P. Hollister, Lt. Governor
Donald R. Schregardus, Director

State of Ohio Environmental Protection Agency

Permit to Install
Terms and Conditions

Application No. 01-6857
APS Premise No. 0124000114
Permit Fee: $2000.00

Name of Facility: FAYETTE COUNTY C&DD FACILITY

Person to Contact: DELBERT HAINES

Address: 110 EAST COURT STREET
WASHINGTON COURT HOUSE, OH 43160

Location of proposed source(s): 1600 ROBINSON ROAD
WASHINGTON COURT HOUSE, OHIO

Description of proposed source(s):
CONSTRUCTION AND DEMOLITION DEBRIS LANDFILL.

Date of Issuance: October 22, 1997

Effective Date: October 22, 1997

The above named entity is hereby granted a permit to install for the above described source(s) pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described source(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

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.

AIR EMISSION SUMMARY

The air contaminant sources listed below comprise the Permit to Install for FAYETTE COUNTY C&DD FACILITY located in Fayette 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 Number	Source Identification Description	BAT Determination	Applicable Federal & OAC Rules	Permit Allowable Mass Emissions and/or Control/Usage Requirements
F001	Paved and unpaved roadways and parking areas	Use of control measures as required in Section A. (Operational restrictions) of the Additional Special Terms and Conditions	3745-31-05	Use of control measures as required in Section A. of Additional Special Terms and Conditions. 9.36 tons of particulate emissions per year
F002	Landfill operations (material handling)	Use of handling procedures and control measures as required in Section A. of Additional Special Terms and Conditions. 20 percent opacity as 3 minute average.	3745-31-05	Use of handling procedures and control measures as required in Section A. of Additional Special Terms and Conditions. 20 percent opacity as 3 minute average. 6.14 tons of particulate emissions per year.

SUMMARY
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons/Year
PM	15.5

RECORD(S) RETENTION AND AVAILABILITY

All records required by this Permit to Install shall be retained on file for a period of not less than three years unless otherwise indicated by Ohio Environmental Protection Agency. All records shall be made available to the Director, or any representative of the Director, for review during normal business hours.

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.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

A. Operational Restrictions

Operational Restrictions for Paved and Unpaved Roadways and Parking Areas (F001).

1. The permittee shall apply dust suppressants to the paved/unpaved roadways and parking areas to minimize or eliminate, at all times, visible emissions of fugitive dust generated by vehicular traffic. Water and Calcium Chloride shall be used as the dust suppressant, and the following equipment shall be used for the periodic applications: Water truck for water application. The dust suppressant shall be applied to the paved/unpaved surfaces, as needed. This term and condition shall be waived during wet conditions when there is sufficient moisture to prevent visible emissions of fugitive dust.

2. Any material carried off of the permittee's property and deposited onto public streets by vehicular traffic or by erosion by water, etc., shall be promptly removed and disposed of properly to minimize or prevent resuspension.

3. A maximum speed limit of 10 miles per hour shall be posted and enforced on the property.

4. Open bodied vehicles transporting materials likely to become airborne shall be covered at all times.

5. There shall be no visible particulate emissions from any paved roadway or parking area except for a period of time

not to exceed one (1) during any 60-minute observation period.

6. There shall be no visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed three (3) during any 60-minute observation period.

Operational Restrictions for Landfill Operations - Material Handling (F002). Handling Procedures and Control Measures.

1. The permittee shall ensure that solid wastes are deposited, spread and compacted in such a manner as to minimize or prevent visible emissions of dust. All truckloads of solid waste shall be unloaded in a manner which will minimize the drop height of the solid wastes. Any dusty materials or wastes likely to become airborne shall be watered as necessary prior to or during dumping operations in order to minimize or eliminate visible emissions of fugitive dust. Watering shall be conducted in such a manner as to avoid the pooling of liquids and runoff. No dusty material shall be dumped during periods of high wind speed, unless the material has been treated to prevent fugitive dust emissions from becoming airborne.

2. All vehicles hauling construction and demolition (C&D) materials shall be closed, covered or tarped when coming to or leaving the facility in order to minimize visible particulate emissions of fugitive dust and to eliminate load loss.

3. The permittee shall ensure C&D materials are deposited, spread and compacted in such a manner as to minimize or prevent visible particulate emissions of fugitive dust.

   a. When dumping C&D materials, the permittee shall implement the following procedures:

      i. any loads which appear to contain dusty C&D materials shall be watered prior to dumping of the load;

      ii. no dusty C&D materials shall be dumped during periods of high wind speed, unless they have treated to prevent them from becoming airborne;

      iii. the permittee shall ensure that all truckloads of C&D materials are unloaded in a manner which will minimize the drop height of the C&D materials and are dumped as near to the point of final placement as possible; and,

iv. during the dumping of any load of C&D materials, in which dusty C&D materials become airborne, the C&D materials shall be watered as necessary to minimize visible particulate emissions of fugitive dust.

b. When handling and stockpiling C&D materials and/or cover materials, the permittee shall implement the following procedures:

i. any dusty C&D materials to be stored prior to disposal, shall be watered, as necessary, or have a temporary soil cover. All exposed C&D materials shall be covered with cover materials by the end of each week's operation. To minimize handling of the C&D materials, spreading and compacting shall occur in one operation;

ii. the permittee shall minimize the handling and the stockpiling of cover materials, except for top soil. Unvegetated cover materials and soil in the waste disposal area 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. 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 by these terms and conditions 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; and,

iv. the visible particulate emissions of fugitive dust from C&D material handling and covering operations described in these terms and conditions shall not exceed twenty percent (20%) opacity as a three-minute average, determined using USEPA Method 9 as specified in OAC rule 3745-17-03(B).

4. The permittee shall not accept for disposal any NESHAP Regulated Asbestos Containing Material (RACM) as defined in the NESHAP for Asbestos, 40 CFR Part 61, Subpart M, section 141 amended November 20, 1990 or any subsequent revisions. This regulation defines RACM as "(a) Friable asbestos material, (b) Category I nonfriable asbestos containing material that has become friable, (c) Category I non friable asbestos containing material that will be or has been subject to sanding, grinding, cutting, or

abrading, or (d) Category II nonfriable asbestos containing material that has a high probability of becoming, or has become, crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart." In addition, the permittee shall not accept for disposal any Category II nonfriable asbestos containing material. For asbestos materials, the permittee shall be limited to accepting Category I nonfriable asbestos containing material that has not or will not be subjected to sanding, grinding, cutting, or abrading. The permittee shall ensure that any Category I nonfriable asbestos containing material that has not or will not be subjected to sanding, grinding, cutting, or abrading shall not become friable during processing at the landfill. Any asbestos containing material that is or becomes friable is subject to the above-mentioned NESHAP regulation. (All terms stated in this term and condition are as defined in 40 CFR 61.141 amended November 20, 1990, or any subsequent revisions.)

5. There shall not be open burning, in violation of OAC chapter 3745-19, at this facility.

6. The permittee shall maintain records of the volume of materials received each day. 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.

B. <u>Recordkeeping Requirements</u>

1. The permittee shall maintain records which include the following information for the unpaved/paved roadways and parking areas (F001):

   a. the date and type of dust suppressants applied to the unpaved and/or paved surfaces;

   b. the portions of unpaved and/or paved surfaces that were treated with dust suppressants; and,

   c. the name of the equipment operator responsible for the application of the dust suppressants.

2. Recordkeeping Requirements for Landfill Operations (F002):

   a. the permittee shall maintain records of the volume of materials received each day. 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; and,

b. a record of water applications required by these terms and conditions 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.

C. **Miscellaneous Requirements**

1. Authority to Enter

Pursuant to the authority in OAC rule 3745-77-07(C)(2) or ORC section 3704.03(L), any representative of the Director may, upon presentation of proper identification, enter at any reasonable time upon any portion of the property where this landfill is located, including any improvements thereon, to make inspections, take samples, conduct tests and examine records or reports pertaining to any emissions of air contaminants and any monitoring equipment, emissions control equipment or methods. No operator or agent of this landfill shall act in any manner to refuse, hinder or thwart this legal right of entry.