



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL
WAYNE COUNTY**

CERTIFIED MAIL

Street Address:

50 West Town Street, Suite 700

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049

Application No: 02-01195

Fac ID: 0285020385

DATE: 11/6/2007

Zollinger C and D Landfill
Bob Zollinger
11899 Easton Rd.
Rittman, OH 44270

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 of the 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. The appeal must be filed with the 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 with the Environmental Review Appeals Commission at the following address:

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

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: USEPA

NEDO

XXXX



**Permit To Install
Terms and Conditions**

**Issue Date: 11/6/2007
Effective Date: 11/6/2007**

FINAL PERMIT TO INSTALL 02-01195

Application Number: 02-01195
Facility ID: 0285020385
Permit Fee: **\$0**
Name of Facility: Zollinger C and D Landfill
Person to Contact: Bob Zollinger
Address: 11899 Easton Rd.
Rittman, OH 44270

Location of proposed air contaminant source(s) [emissions unit(s)]:
**11899 Easton Rd.
Rittman, Ohio**

Description of proposed emissions unit(s):
Administrative modification of PTI 02-1195 to allow for the disposal of Category 2 non-friable ACM.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(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 emissions unit(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 emissions unit(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

Chris Korleski
Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install 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. 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.

9. Construction of New Sources(s)

The proposed emissions unit(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

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

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 cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(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 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 the requirements of this permit or cannot meet applicable standards.

10. 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.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. 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.

13. Source Operation and Operating Permit Requirements 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

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

ADMINISTRATIVE MODIFICATION
inter-office communication

TO: DAPC - Air Quality Modeling and Planning
FROM: Joe Loucek, DAPC-NEDO
SUBJECT: Administrative Modification of Zollinger CDD Permit to Install
Date: October 1, 2007

This Administrative Modification was initiated by the permittee

This is not the result of an appeal to ERAC

Pollutant	TPY
PE	8

This modification is to correct language regarding non-regulated asbestos containing materials. Cheryl Suttman corrected the T&Cs library for terms applied to landfills that do not accept regulated asbestos containing materials, OLF6N.wpd. I took the terms verbatim, except for the recordkeeping, as it only applies to MSW landfills, and this PTI is for a CDD landfill.

Thanks,

Joe

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

ADDITIONAL SPECIAL TERMS AND CONDITIONS

A. Authority to Enter

1. 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 emissions of air contaminants and any monitoring equipment, emissions 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.

B. Materials to be Disposed of at the Site

1. This facility shall only accept for disposal material from construction operations and material from demolition operations, as defined in Section 3475-400-01 (F) of the Ohio Administrative Code.
2. For purpose of this definition, "material from construction operations" and "material from demolition operation" are those items affixed to the structure being constructed or demolished, such as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, and insulation, but excludes material whose removal has been required prior to demolition.

C. Materials that are Prohibited from Disposal at the Site

1. No sewage, industrial waste, or other waste as defined by Ohio Revised Code 6111.01 (B)(C)(D) may be accepted for disposal.
2. No solid wastes, infectious wastes or hazardous wastes, as defined by Chapter 3734 or the Revised Code and rules adopted under it, may be accepted for disposal. Materials allowed to be disposed of are listed in OAC 3745-400-11 (F) and 3745-400-01 (F).
3. No wastes excluded from the definition of solid waste may be accepted for disposal, other than construction and demolition material as defined above.
4. Clients of this facility shall understand and comply with the materials restrictions of this permit via a written notice from the facility to each client or by a written agreement between both parties involved.

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

D. Nuisance Restrictions and Water Pollution Control Measures

1. The operator shall operate the facility in such a manner that operation does not create a nuisance or a health hazard, and does not cause water pollution, or violate any regulation adopted by the Director pursuant to Ohio Revised Code Chapters 3704, 6111, 3734 and 3714.
2. There shall be no open burning in violation of Ohio Administrative Code 3745-19-03 at this facility.
3. There shall be no discharges of water that contact either the demolition debris or land disturbed areas to water of the state without obtaining an NPDES permit from the Director of the Ohio EPA.
4. The facility shall be developed, operated and closed utilizing best management practices that minimize sedimentation and erosion. The permittee's plan detailing best management practices to control erosion and sedimentation must be submitted for concurrence to the Ohio EPA, Northeast District Office, Division of Water Pollution Control, within 30 days of the effective date of this permit. The plan shall include, but not be limited to, providing and maintaining adequate vegetation on disturbed areas; proper construction and protection of waterways used for drainage control; installation of grade stabilization structures, etc. The plan shall be implemented during development of the site and during the operation of the site. The plan shall also address sedimentation and erosion control during and after closure of the site. The plan shall be updated as required by the Ohio EPA Northeast District Office.

E. Visible Particulate Emission Limitations

1. Visible particulate emissions from the disposal operations (unloading, spreading or compacting) shall not exceed twenty percent (20%) opacity as a three-minute average.
2. There shall be no visible particulate emissions from any paved roadway or parking area except for a period of time not to exceed six (6) minutes during any 60-minute observation period.
3. There shall be no visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen (13) minutes during any 60-minute observation period.

F. Dust Control Measure and Practices for Disposal Operations

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

1. This facility shall ensure that construction and demolition wastes are deposited, spread and compacted in such a manner as to minimize or prevent visible particulate emissions of fugitive dust:
 - a. the facility shall require all truckloads of waste to be unloaded in a manner which will minimize the drop height of the wastes;
 - b. the waste shall be unloaded as near to the point of final placement as possible to minimize handling of waste, and in accordance with OAC 3745-400-11 (F)(4);
 - c. any dusty materials or wastes likely to become airborne shall be watered as necessary prior to or during unloading operations;
 - d. water shall be spread daily, as often as necessary, at an application rate of 10 gallons or more per 100 square feet depending on the weather and soil conditions. Any watering shall avoid pooling of liquids and run-off;
 - e. no dusty material shall be unloaded during periods of high wind speed unless treated to prevent it from becoming airborne;
 - f. in order to minimize handling of the cover material, stockpiling shall be minimized to no more than three weeks worth of cover material;
 - g. all vehicles hauling wastes shall be closed, covered or tarped coming to or leaving the facility. All losses of waste from vehicles shall be promptly recovered in a manner minimizing fugitive dust release; and
 - h. No shredding of waste shall take place at this facility without applying for and obtaining appropriate permits from the Ohio EPA.

G. Dust Control Measure and Practices for Paved and Unpaved Roadways and Parking Areas

1. Water shall be spread daily, as often as necessary, at an application rate of 10 gallons or more per 100 square feet depending on the weather and soil conditions.
2. Speed zones of no more than 10 miles per hour shall be established, posted and enforced by the owner or operator for all vehicles operating within the facility or facility controlled access roads.

- H. 1. 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.
2. The permittee shall ensure C&D material 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 material 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 been treated to prevent them from becoming airborne;
 - iii. the permittee shall ensure that all truckloads of C&D material 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 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

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

twenty percent (20%) opacity as a three-minute average, determined using USEPA Method 9 as specified in OAC rule 3745-17-03 (B).

3. There shall be no open burning, in violation of OAC Chapter 3745-19, at this facility.
4. 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 the Director or his representative during normal business hours.

I. Asbestos Terms

1. Deposition and burial operations of any suspected non-regulated asbestos-containing waste or demolition debris shall be conducted in a manner that prevents any asbestos content from being broken up or dispersed before such materials are buried. [OAC rule 3745-31-05(A)(3)]
2. The facility cannot accept for disposal any regulated asbestos-containing material as defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos, 40 CFR Part 61, Subpart M, Section 141 and OAC rule 3745-20, or any subsequent revisions to either rule. Regulated asbestos-containing material is defined to include:
 - a. friable asbestos material;
 - b. Category I non-friable asbestos-containing material that has become friable;
 - c. Category I non-friable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or
 - d. Category II non-friable 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.

The permittee shall be limited to accepting only non-regulated asbestos-containing waste materials. The permittee shall ensure that any Category I non-friable asbestos-containing waste materials accepted for disposal will not be subjected to sanding, grinding, cutting, or abrading and shall not become friable during processing at the landfill; and shall ensure that Category II non-friable asbestos-containing waste materials accepted for disposal do not become crumbled, pulverized, or reduced to powder by the forces expected to act on the material during its handling, transfer, and burial at the landfill. Any non-friable Category I or Category II asbestos-containing material that was generated from a NESHAP source and which becomes friable, also becomes subject to the Asbestos NESHAP regulations. If any regulated asbestos-containing waste material arrives at the landfill it cannot be accepted for disposal; and if any non-regulated asbestos-containing material becomes friable after it is accepted for disposal the permittee shall:

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

- e. cause or permit no visible emissions to the outside air from the asbestos-containing waste materials during on-site transportation, transfer, deposition, or compacting operations;
 - f. assure that deposition and burial operations are conducted in a manner which prevents handling by equipment or persons that causes asbestos-containing waste materials to be broken-up or dispersed before the materials are buried;
 - g. cover the asbestos-containing waste material with at least twelve inches of non-asbestos-containing material, as soon as practicable after deposition, but no later than at the end of the operating day; and
 - h. assure that during the unloading, deposition, burial and initial compaction of asbestos-containing waste materials, the disposal site is restricted adequately to deter unauthorized entry of the general public and any unauthorized personnel to within one hundred feet of the operations. [40 CFR 61.140], [40 CFR 61.154], [OAC rule 3745-20-02], and [OAC rule 3745-20-06]
3. The permittee shall cover and compact asbestos wastes in accordance with the following requirements:
- a. As soon as practical after the placement of asbestos, but no later than the end of each working day, the asbestos-containing waste materials deposited at the site during the operating day shall be covered with at least 12 inches of non-asbestos-containing materials. Once the asbestos-containing materials are covered, the area shall be compacted.
 - b. Care shall be taken to ensure that disposed asbestos shall not be re-excavated in subsequent operations. Any accidentally exposed material shall be immediately recovered in accordance with the provisions of this permit.
 - c. Asbestos-containing waste materials shall be separated from the landfill final grade by no less than 24 inches of compacted non-asbestos-containing materials or by at least 6 inches of compacted non-asbestos-containing materials with a permanent cover of vegetation over the area, or in accordance with current requirements for closure, whichever is more stringent. [OAC rule 3745-31-05(A)(3)]

J. Record Keeping Requirements

1. The permittee shall maintain records which include the following information for the unpaved roadways and parking area:
 - a. the date dust suppressants were applied to the unpaved surfaces;
 - b. the portions of unpaved surfaces that were treated with dust suppressants;

Zollinger C and D Landfill
PTI Application: 02-01195
Issued: 11/6/2007

Facility ID: 0285020385

- c. the application rate of water and any chemical additives (gallons of each per square yard); and
- d. The name of the equipment operator responsible for the application of the dust suppressants.