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
Stark County
Application No: 15-1292
NESHAP

CERTIFIED MAIL

July 16, 1997

ON ENVIRONMENTAL, INC.
JAY CLAYTON
255 SOUTH LIBERTY STREET
POWELL, OH 43065

JUL 21 1997

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 Board of Review 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 Board of Review 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 Board. An appeal may be filed with the Environmental Board of Review at the following address:

Environmental Board of Review
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo

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

cc: US EPA
CANTON AIR POLLUTION CONTROL
DANIEL COLPETZER, PRESIDENT

State of Ohio Environmental Protection Agency

Permit to Install
Terms and Conditions

Application No. 15-1292
APS Premise No. 1576001700
Permit Fee: $1000.00

Name of Facility: ON ENVIRONMENTAL, INC.

Person to Contact: JAY CLAYTON

Address: 255 SOUTH LIBERTY STREET
POWELL, OH 43065

Location of proposed source(s): 9000 MINERVA ROAD
PIKE TOWNSHIP, OHIO

Description of proposed source(s):
ACCEPTANCE OF REGULATED ASBESTOS AT C&D LANDFILL.

Date of Issuance: July 16, 1997

Effective Date: July 16, 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

Donald R Schregardus

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 ON ENVIRONMENTAL, INC. located in Stark 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
F003	Material handling operations for the landfill disposal of NESHAP RACM (National Emissions Standards for Hazardous Air Pollutants Regulated Asbestos Containing Material).	Compliance with the NESHAP Subpart M, and see the Additional Special Terms and Conditions.	OAC 3745-31: including but not limited to; 3745-31-05 (A)(3), Best Available Technology (BAT)	0.1 TPY PM Limit of 50,000 tons of NESHAP RACM per calendar year to be accepted for disposal. There shall be no visible particulate emissions during transportation, transfer, unloading, deposition or compacting operations.
			40 CFR, Part 61, Subpart A, General Provisions, and, 40 CFR, Part 61, Subpart M, National Emission Standard for Asbestos	Meet the applicable requirements of this regulation including compliance with the Additional Special Terms and Conditions of this permit.
			3745-20-06	Meet the applicable requirements of this regulation including compliance with

Ohio EPA Source Number	Source Identification Description	BAT Determination	Applicable Federal & OAC Rules	Permit Allowable Mass Emissions and/or Control/Usage Requirements
				the Additional Special Terms and Conditions

SUMMARY
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons/Year
PM	0.1

NESHAP REQUIREMENTS

The following source(s) are subject to the applicable provisions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) as promulgated by the United States Environmental Protection Agency under 40 CFR Part 61.

Source No.	Source Description	NESHAP Regulation
F003	Asbestos disposal	M, Part 61

The application and enforcement of these standards are delegated to Ohio EPA. The requirements of 40 CFR Part 61 are also federally enforceable.

Pursuant to the NESHAP, the source owner/operator is required to report the following milestones:

a. date of commencement of construction (no later than 30 days after such date);
b. anticipated date of initial start-up (not more than 60 days or less than 30 days prior to such date);
c. actual date of initial start-up (within 15 days after such date); and
d. date of performance testing (at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
Division of Air Pollution Control
Permit Management Unit
P.O. Box 1049
Columbus, OH 43216-1049

and Canton Air Pollution Control
420 Market Ave. N., City Hall
Canton, Ohio 44702-1544

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.

REPORTING REQUIREMENTS

Unless otherwise specified, reports required by the Permit to Install need only be submitted to Canton Air Pollution Control, 420 Market Ave. N. , City Hall, Canton, Ohio 44702-1544.

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 contaminant 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 Canton Air Pollution Control, 420 Market Ave. N. , City Hall, Canton, Ohio 44702-1544.

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 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.

NINETY DAY OPERATING PERIOD

The facility will be permitted to operate during a 90-day period in accordance with OAC Rule 3745-35-02(C)(4)(b). The purpose of this period of operation is to fulfill the performance tests conditions used in the determination of compliance with the provisions of this Permit to Install or other applicable Ohio EPA rules.

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.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

A. Operational Restrictions

1. This facility shall be permitted to accept for disposal under this permit only NESHAP Regulated Asbestos Containing Material (RACM) as defined in the NESHAP Regulation for Asbestos, 40 CFR Part 61, Subpart M, section 141 amended November 20, 1990 or any subsequent revisions or as defined in any Environmental Protection Agency Interpretive Rules concerning the NESHAP Regulation for Asbestos. This regulation defines NESHAP RACM as "(a) Friable asbestos material, (b) Category I nonfriable asbestos containing material that has become friable, (c) Category I nonfriable asbestos containing material that will be or has been subjected 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."

   This facility is permitted to accept for disposal other materials including construction and demolition wastes, non-toxic spent foundry sand, non-toxic fly ash, non-toxic bottom ash, and other exempted wastes under Permit to Install 15-766.

2. This facility shall not be allowed to accept for disposal or to dispose:

   a. bottom ash, fly ash, or spent foundry sands that exceed the non-toxic criteria in the Definitions and

Material Testing Requirements in the Division of Surface Water document number DSW 0400.028;

b. other exempted wastes that exceed the non-toxic criteria in the Definitions and Material Testing Requirements in the Division of Surface Water document number DSW 0400.028;

c. foundry sands commingled with other wastes such as cans, casting scraps, pallets, etc. which shall be regarded as solid wastes;

d. any material containing less than twenty percent solids or one that contains free standing liquids;

e. municipal solid waste;

f. any waste containing infectious and chemotherapeutic waste materials;

g. any waste containing radioactive waste material;

h. tires, freezers, refrigerators, and air conditioners; and,

i. burning or smoldering waste.

3. Annual Amount of NESHAP RACM Allowed to be Accepted for Disposal:

This facility shall be limited to accepting for disposal no more than 50,000 tons per calendar year of any NESHAP Regulated Asbestos Containing Material (RACM) as defined in Additional Special Term and Condition A.1.

4. Disposal Requirements for NESHAP RACM:

a. There shall be no visible emissions from NESHAP RACM during on-site transportation, transfer, unloading, deposition or compacting operations.

b. The permittee shall inspect each load of asbestos-containing material delivered to the facility. The inspection shall consist of a visual examination to ensure that each shipment of NESHAP RACM is received in intact, leak-tight containers labeled with appropriate hazard warning labels, the name of the waste generator, and the location of waste generation. The inspection also shall determine whether the waste shipment records accompany the consignment and accurately describe the waste material and quantity.

If on the basis of the inspection, the waste material is found to be improperly received, the

load shall be disposed of in accordance with the procedures in the "Asbestos Spill Contingency Plan," and the discrepancy shall be noted on the waste shipment record.

c. Deposition and burial operations shall be conducted in a careful manner that prevents NESHAP RACM from being broken up or dispersed before the materials are burned. buried

d. The permittee shall establish restricted access by the use of snow fencing, adequate to deter the unauthorized entry of the general public and any unauthorized personnel, within 100 feet of the unloading, deposition, and burial areas for the NESHAP RACM. The fencing shall remain in place until the NESHAP RACM has been covered and compacted in accord with the following Additional Special Term and Condition. A hazard warning shall be displayed on signs not less than 20 x 14 inches in size, posted so they are visible before entering an area with NESHAP RACM waste disposal operations in progress; or, alternately, mark vehicles used to transport NESHAP RACM with 21 x 14 inch signs so that the signs are displayed in such a manner and location that a person can easily read the legend. Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend.

DANGER
ASBESTOS DUST HAZARD
CANCER AND LUNG DISEASE HAZARD
Authorized Personnel Only

Notation
2.5 cm (1 inch) Sans Serif, Gothic or Block
2.5 cm (1 inch) Sans Serif, Gothic or Block
1.9 cm (3/4 inch) San Serif, Gothic or Block
14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

e. The NESHAP RACM shall not be disposed in the active working face of the C&D landfill and the disposal shall take place at least 100 feet from the active working face of the C&D landfill.

The permittee shall cover and compact NESHAP RACM in accordance with the following: As soon as practicable after the placement of the NESHAP RACM, but no later than the end of each working day, the

NESHAP RACM deposited at the site during the operating day shall be covered with at least 12 inches of cover soil. During dusty conditions, the cover soil shall be watered, as necessary, to ensure no visible emissions once the NESHAP RACM is covered, the area may be compacted.

f. Care shall be taken to ensure that disposed NESHAP RACM shall not be reexcavated in subsequent operations. Any accidentally exposed material shall be immediately recovered in accordance with the provisions of condition e. above.

g. NESHAP RACM shall be separated from the landfill final grade by no less than 24 inches of compacted soil as described above and by a permanent cover of vegetation, or in accordance with current requirements for closure, whichever is more stringent, by the time of closure.

h. The permittee shall implement and maintain an "Asbestos Disposal Operating Procedure and Spill Contingency Plan" ("Plan") consisting of: authorized personnel training, inspection and disposal operating procedures, non-conforming load response procedures, inventory and maintenance procedures for safety and emissions control equipment, recordkeeping procedures, and emergency notification procedures. Authorized personnel shall be knowledgeable in the procedures, and the Plan shall be available for inspection at this facility at all times.

The permittee shall implement the requirements of the "Operations and Control Manual for Asbestos Disposal" submitted as part of the Permit to Install application unless it is conflict with the Air Emission Summary or Additional Special Terms and Conditions of this permit.

i. Emissions control equipment shall be available for wetting and containing asbestos in the event of a release or non-conforming load disposal. All equipment required to implement the Plan shall be maintained in accordance with good engineering practices to ensure that the equipment is in a ready-to-use condition and in an appropriate location for use.

j. This facility shall ensure that any asbestos materials which is <u>not</u> NESHAP regulated Asbestos Containing Material (RACM) shall not become friable while at the landfill. If any such asbestos materials becomes friable at the landfill, this facility shall adequately wet or encapsulate it if

necessary to prevent visible emissions and shall treat it as NESHAP Regulated Asbestos Containing Material (RACM) including following the Disposal Requirements for NESHAP Regulated Asbestos Containing Material (RACM) in this permit for the disposal of this material.

B. Monitoring and/or Recordkeeping Requirements

1. Recordkeeping Requirements:

a. This facility shall maintain daily records in a bound logbook of the following information and these records shall be maintained at the facility site by the permittee for a period of not less than five years and shall be made available to the Director, or any authorized representative of the Director, for review during normal business hours:

i. the number of tons of NESHAP RACM received; and,

ii. a record of water applications required by Additional Special Term and Condition A.5. and it's subsections.

A.4.

b. The permittee shall maintain records of the following information:

i. the waste shipment record form for each shipment of NESHAP RACM in accord with 40 CFR Sec. 61.154(e)(1). These records shall be maintained for a period of two years; and,

ii. the location, depth and area, and quantity in cubic yards of all NESHAP RACM within the disposal site, on a map or diagram of the disposal area. These records shall be maintained until closure.

C. Reporting Requirements

1. Annual Waste Report:

Each year, this facility shall submit an annual report covering the previous calendar year's operations by February fifteenth of the current calendar year.

This report shall contain the number of tons of NESHAP RACM accepted for disposal in the previous calendar year.

2. Quarterly Reports Summarizing the Asbestos Disposal Activities:

a. The permittee shall submit quarterly reports summarizing the asbestos disposal activities. The reports shall contain the following information:

i. the name, address and location of the facility; the calendar period covered by the report; and any changes in the methods of storage or the disposal operations; and,

ii. a list of all asbestos-containing waste consignments received including: the date received, the name of the waste generator, the name and location of the facility where the load originated, the quantity of asbestos, and any discrepancy or non-conformity discovered.

These quarterly reports shall be submitted no later than January 31, April 30, July 31 and October 31 of each year and shall cover the previous calendar year quarters.

3. As soon as possible and no longer than 30 days after receipt of the waste, the permittee shall send a copy of the signed waste shipment record to the waste generator.

4. Upon discovering a discrepancy between the quantity of waste designated on a waste shipment record and the quantity actually received, the permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the State, local, district, or U.S. EPA regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, the Canton City Health Department, Air Pollution Control Division. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

5. The permittee shall submit, upon closure of the facility, a copy of the records of the NESHAP RACM disposal locations and quantities.

6. The permittee shall notify the Canton City Health Department, Air Pollution Control Division in writing at least 45 days prior to excavating or otherwise disturbing any NESHAP RACM that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided at least 10 working days before excavation begins and in no event shall excavation being earlier than the date specified in the original notification. The following information shall be included in the notice:

a. scheduled starting and completion dates;

b. reason for disturbing the NESHAP RACM;

c. procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated NESHAP RACM. (If deemed necessary, the Director may require changes in the proposed emission control procedures); and,

d. location of any temporary storage site and the final disposal site.

7. The permittee shall notify the Canton City Health Department, Air Pollution Control Division of any load of NESHAP RACM which is rejected, or any non-conforming load disposed of in accordance with the "Asbestos Spill Contingency Plan." Notification shall be provided as soon as possible by a phone contact, followed in writing by the next working day. The written notification shall provide a copy of the waste shipment record ("WSR"), if available, or when waste is not shipped with a WSR, provide available information concerning vehicle identification, source of the load, a description of the load, nature of discrepancy, and the location of disposal. If possible, non-conforming loads of suspect friable material shall be detained, or the location of disposal protected from damage, until the Canton City Health Department, Air Pollution Control Division is informed and provided the opportunity to inspect.

8. The notifications and any reports required by Part C of these Additional Special Terms and Conditions shall be submitted to the Canton City Health Department, Air Pollution Control Division, 420 Market Avenue North, Canton, Ohio 44702-1544, unless otherwise noted in this permit.

D. Compliance Methods and Testing Requirements

1. Compliance with the emission limitation(s) in the Air Emission Summary of this Permit to Install shall be determined in accord with the following method(s):

a. Emission Limitation:

0.1 TPY PM

Applicable Compliance Method:

Comply with Air Emission Summary and Additional Special Terms and Conditions.

b. Emission Limitation:

Limit of 50,000 tons of NESHAP RACM allowed to be disposed per calendar year.

Applicable Compliance Method:

Maintain records of the tons of materials received based on the assumed density of 1/4 tons of material per cubic yard of compacted NESHAP RACM.

c. Emission Limitation:

For NESHAP, RACM: There shall be no visible emissions during transportation, transfer, unloading, deposition or compacting operations.

Applicable Compliance Method:

Use test method nine as per OAC 3745-17-03(B)(5).

E. Miscellaneous Requirements

1. There shall be no open burning in violation of Ohio Administrative Code (OAC) 3745-19 at this facility.

2. 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.

3. All terms related to asbestos, e.g. asbestos, asbestos materials, asbestos containing materials, etc., used in these Additional Special Terms and Conditions, are as defined in the NESHAP regulation for Asbestos, 40 CFR Part 61, Subpart M, Section 141 amended November 20, 1990 or any subsequent revisions or in any Environmental Protection Agency Interpretive ruling concerning the NESHAP for Asbestos, unless specifically noted otherwise.