



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

October 16, 2019

City of Wilmington
69 North South Street
Wilmington, Ohio 45177

**Re: Wilmington Sanitary Landfill
Permit - Long Term
Draft for Public Comment
Municipal Solid Waste Landfills
Clinton County
MSWL018744**

**Subject: Wilmington Sanitation Landfill, Clinton County
Draft Permit to Install (PTI) Number: 05-14389**

To whom it may concern:

The application for a PTI with accompanying plans and specifications for the above referenced facility has been reviewed by the staff of the Ohio EPA. It is the recommendation of the staff that the director issue a PTI since your proposal appears to comply with applicable Ohio solid waste rules.

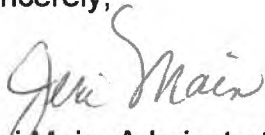
Therefore, enclosed please find a PTI which is being issued to you today in draft form pursuant to Ohio Revised Code Chapter 3734 and the rules adopted thereunder.

A public notice concerning the issuance of this draft PTI will appear in the following newspaper: Wilmington News Journal. A public hearing will be held at 6:00 p.m. on Thursday, November 21, 2019 at the Wilmington Community Room, Room 174, located at 69 North South Street, Wilmington, Ohio 45177 in Clinton County. The public hearing will end when everyone in attendance has had an opportunity to provide testimony related to this project. Written comments will be accepted for the Director's consideration until the close of business on November 28, 2019. The application may be reviewed in accordance with Ohio EPA's file review procedures by contacting Ohio EPA Central Office, 50 W. Town St, Columbus, Ohio 43215, Tel: (614) 644-2621.

Following the close of the public comment period, the Director may issue a final Permit to Install upon such terms and conditions as he finds necessary to ensure that the operation of your facility is in accordance with Ohio's solid waste rules.

Please be advised that the detailed plans which you had submitted with your application will be transmitted with the issuance of the final permit. If you have any questions concerning this draft PTI, please contact the Ohio EPA Central Office at the above address and telephone number.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeri Main".

Jeri Main, Administrative Processing Unit
Division of Materials and Waste Management

Enclosure

ec: Jessica Hirashima , DMWM, CO
Jeremy Carroll, DMWM, CO
Brad Gerberick/Michelle Ackenausen/Jay Cavender, DMWM, SEDO
Joshua Jackson, DSW, SWDO
Heather Lauer, PIC

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 05-14389
Application Received: July 21, 2006
Permit Fee: \$32,019.72
Permit Fee Balance: \$31,619.72

Applicant: City of Wilmington
Address: 69 North South Street
Wilmington, OH 45177

Facility: Wilmington Sanitary Landfill

Location: The facility is located on the west side of South Nelson Avenue, approximately one-half mile south of State Route 22 at 397 South Nelson Avenue, Clinton County.

Permit: Vertical and Lateral Expansion

Issuance Date:

Effective Date:

The above-named entity is hereby issued a permit to install (permit) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed and/or modified in accordance with the plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will operate in compliance with applicable state and federal laws, rules, and regulations, and does not constitute expressed or implied assurances that, if constructed and/or modified in accordance with those plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will be granted the necessary operating permits and/or licenses. This permit is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency

Laurie A. Stevenson, Director

PERMIT SUMMARY

This permit (PTI Number 05-14389) authorizes a vertical and lateral expansion of the approved limits of waste placement at the existing Wilmington Sanitary Landfill (Facility) located at 397 South Nelson Avenue, Wilmington, Ohio in Clinton County. The city of Wilmington is the owner, operator and PTI applicant of the facility.

The vertical and lateral expansion will create an additional 3,201,972 cubic yards of permitted airspace. The Facility will have a total capacity of 5,147,929 cubic yards on a 45-acre footprint. The anticipated life of the Facility will be 3.3 years based on the Facility's authorized maximum daily waste receipt of 195 tons or 14.5 years based on the Facility's anticipated average daily waste receipt of 59 tons.

The Facility will incorporate into its construction such features as a composite (recompacted soil and flexible membrane) liner system, a leachate collection system, a surface water management system, a ground water monitoring system, an explosive gas monitoring system, and a final closure cap system. The permit also incorporates 30 years of post-closure care and financial assurance for closure and post-closure care.

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

PERMIT CONDITIONS

1. The Director of the Ohio Environmental Protection Agency (Director), or an authorized representative, may enter upon the premises of the above-named applicant (permittee) at any reasonable time during construction and operation for the purpose of making inspections, conducting tests, or examining records or reports pertaining to the construction, modification, or installation of the above-described source of environmental pollutants (municipal solid waste disposal facility).
2. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to the Ohio Environmental Protection Agency (Ohio EPA), which constitute this permit. There shall be no deviation from the approved permit or the permit conditions without the express, written approval of Ohio EPA. Any deviation from the approved plans or the permit conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the Facility will operate in compliance with all Ohio laws and regulations. Additional landfill components shall be installed upon orders of Ohio EPA if the Facility is inadequate or cannot meet applicable standards.

3. Issuance of this permit does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. This permit shall apply only to the Facility shown on the plans, specifications and information submitted as part of PTI Number 05-14389 received on July 21, 2006, with subsequent revisions received through August 21, 2018.
5. This permit may be modified, or alternatively revoked and reissued by the Director, to comply with any revisions to OAC Chapter 3745-27 applicable to this municipal solid waste disposal facility.
6. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-27.
7. Nothing in this permit shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations except as specified herein. This permit shall not be interpreted to release the permittee from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
8. This permit does not authorize the acceptance of any hazardous or infectious wastes, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
9. This permit does not authorize the acceptance of any asbestos or asbestos-containing waste material that is subject to the provisions of NESHAP, 40 CFR Part 61, Subpart M. No such asbestos or asbestos-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
10. Not later than seven (7) days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) written notification of the anticipated construction start date so that construction of the Facility can be routinely inspected by Ohio EPA, DMWM, SWDO.
11. 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:
 - a. The pre-construction tests required by OAC Rule 3745-27-08(D) shall be performed and the test results submitted to Ohio EPA, DMWM, SWDO not

later than seven (7) days prior to the intended use of the materials in construction.

- b. The pre-construction interface tests required by OAC Rule 3745-27-08(G) shall be performed and the test results submitted to Ohio EPA, DMWM, SWDO not later than seven (7) days prior to the use of each geosynthetic material authorized by this permit.
 - c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, DMWM, SWDO not later than forty-five (45) days prior to the anticipated date of waste receipt in any newly constructed areas. Pursuant to OAC Rule 3745-27-19(C)(1), the permittee shall not accept waste in a phase until Ohio EPA, DMWM, SWDO provides written concurrence of the construction certification report for that phase.
12. The permittee shall provide for the following inspections and facility maintenance:
- a. The permittee shall provide for daily inspection of the Facility and completion of the Municipal Solid Waste Landfill Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, DMWM, SWDO upon request.
 - b. Surface water control structures, including sedimentation basins, sedimentation basin discharge structures, pipes, ditches, and culverts, shall be inspected weekly for erosion, clogging, or failure and prompt corrective action shall be taken if necessary. Written results of the inspections, including a discussion of any corrective actions taken, any water quality samples taken, the date and weather conditions, shall be recorded on the Municipal Solid Waste Landfill Daily Log of Operations, Form 4. The information shall be maintained on site and submitted to Ohio EPA, DMWM, SWDO or CCHD, upon request.
 - c. To ensure proper operation of the sedimentation basin(s), the basin(s) shall be cleaned out as specified in PTI 05-14389 or when the volume of the settled particles necessitates cleaning based on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(D)(3).
13. The permittee shall not conduct leachate recirculation at the Facility without prior written approval from Ohio EPA.
14. The permittee shall not store leachate in the landfill without written authorization from the Director as specified in OAC Rule 3745-27-19(K)(4). The permittee shall

be viewed to be storing leachate if the leachate accumulates to an elevation above the design standard (a maximum of one foot of head above the top elevation of the sump) and the sump pump is not running.

15. Prior to excavation or construction activities in areas subject to Sections 401 and/or 404 of the Clean Water Act (33 United States Code Sections 1341 and 1344), the permittee shall obtain all applicable permits and approvals and shall submit copies to Ohio EPA, DMWM, SWDO.
16. Prior to excavation or construction activities subject to ORC Section 6111.021, which may impact isolated wetlands, the permittee shall obtain all applicable permits and approvals. Obtaining appropriate authorization from Ohio EPA does not alleviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
17. The Facility's authorized maximum daily waste receipt (AMDWR) is established to be 195 tons. The permittee shall not accept more than 195 tons of solid waste per day for disposal at the Facility.
18. The permittee shall execute and fund a financial assurance instrument or increase the amount listed on the existing financial assurance instrument in accordance with OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 for the current cost estimates of the Facility, including the costs for the newly authorized disposal area. Funding shall be completed prior to waste acceptance in any disposal area newly authorized by this permit to install.
19. The permittee shall comply with the requirements of all previously issued authorizing documents for the Facility, except to the extent that this permit specifies requirements different from, or in addition to, the requirements of those previously issued authorizing documents. This permit, and the conditions herein, shall take precedence over any conflicting requirements.

END OF PERMIT CONDITIONS