



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

OHIO E.P.A.

MAY 18 2015

ENTERED DIRECTOR'S JOURNAL

MAY 18 2015

Mr. Richard Hughes  
Environmental Superintendent  
Cristal USA, Inc.  
2900 Middle Road  
Ashtabula, Ohio 44004

Re: Millennium Landfill  
Non-Permit Related Exemption  
Approval  
Industrial Solid Waste Landfills  
Ashtabula County  
ISWL018450

**Subject: Millennium Landfill, Ashtabula County  
Ohio Administrative Code (OAC) Rule 3745-27-03(B) Exemption**

Dear Mr. Hughes:

On September 25, 2014, Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received an exemption request, dated September 23, 2014, titled *Request for ORC 3734.02(G) Exemption from Submittal of Area 1 Stability Analysis Portion of 10-Year Design Demonstration, OAC 3745-29-19(N)* (Request) for Millennium Landfill (Facility). The Request was prepared by American Landfill Management, Inc., operator of the Facility, on behalf of Cristal USA, Inc. (Owner). In accordance with Ohio Revised Code (ORC) Section 3734.02(G) and OAC Rule 3745-27-03(B), the Owner is requesting an exemption from the requirement of OAC Rule 3745-29-19(N) to the extent that a design stability demonstration is required pursuant to OAC Rule 3745-29-08(C)(7) for Area 1.

The Owner's initial permit-to-install (PTI) No. 02-9981 was issued on May 1, 1997. OAC Rule 3745-29-19(N) requires the owner or operator to submit to Ohio EPA an analysis demonstrating that the design of the unconstructed portions of the landfill continues to comply with OAC Rule 3745-29-08. The demonstration is required upon every tenth anniversary of the initial permit. The Facility consists of two non-contiguous landfill units: Area 2 which is currently being used for waste disposal and unconstructed Area 1. At the current waste disposal rate, the Owner does not anticipate construction of Area 1 for at least 30 years.

Upon review of the exemption request, I have determined that granting the exemption is unlikely to adversely affect the public health or safety or the environment. Therefore, the Owner is hereby granted an exemption, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), from the requirement of OAC Rule 3745-29-19(N) as it applies to the stability design requirements in OAC Rule 3745-29-08(C)(7) for Area 1.

Prior to the commencement of Area 1 construction, the Owner must receive written concurrence from Ohio EPA that the design of the unconstructed areas of the Facility meets design standards as specified in applicable rules in place at the time construction will begin.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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 Ohio Attorney General's Office, Environmental Enforcement Section. An appeal must be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this action, please contact John Hujar, NEDO, DMWM at (330) 963-1122.

Sincerely,



Craig W. Butler  
Director

CWB:JH:cla

cc: Jarnal Singh, Ohio EPA, NEDO, DMWM  
Ray Saporito, Ashtabula County Health Department