



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

December 7, 2015

Jerry Ross
Mahoning Landfill, Inc.
3510 Garfield Road
Springfield, Ohio 44443

**Re: Mahoning Landfill, Inc.
Permit - Long Term
Approval
Municipal Solid Waste Landfills
Mahoning County
MSWL018785**

Subject: Final Permit to Install Application for Mahoning Landfill, Inc.

Dear Mr. Ross:

The Ohio Environmental Protection Agency, pursuant to Ohio Administrative Code Rule 3745-27-02 and the rules adopted thereunder, has reviewed the application for a permit with accompanying detail plans, specifications and/or information (hereinafter referred to as "application") regarding the above-referenced facility. This application has been approved by the Director subject to the conditions of compliance contained in the permit approval enclosed herewith and with all applicable laws, rules and standards. All construction must be supervised by an engineer or expert qualified in such work. Because the permit approval contains conditions of compliance, I urge you to read it carefully. Also, enclosed is a Response to Comments.

You are requested to submit within thirty (30) days of the date of issuance of this Permit to Install, the required permit fee balance of seventy-nine thousand, six hundred dollars (\$80,000.00 - \$400.00 application fee = \$79,600.00), payable to **Treasurer, State of Ohio**. Please send the required payment to:

Ohio Environmental Protection Agency
Permit to Install Fee
Dept L-2711
Columbus, OH 43260-2711

Payment of the \$79,600.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

You are hereby notified that this action of the Director of Ohio EPA (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

Jerry Ross
Mahoning Landfill, Inc.
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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 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
77 South High Street 17th Floors
Columbus, Ohio 43215

If you have any questions, please contact the Ohio EPA District Office to which you submitted your application.

Sincerely,



Demitria Crumiell-Hagens, Administrative Professional II
Division of Materials and Waste Management

Enclosure

cc: Brad Mitchell, DMWM, CO
Scott Hester, DMWM, CO
Fanny Haritos, DMWM, CO
Jeremy Carroll, DMWM, CO
Mike Settles, PIC
Stephen Bopple, DMWM, NEDO
Lynn Sowers, DMWM, NEDO
Clarissa Gereby, DMWM, NEDO
Patricia Sweeney, Mahoning County District Board of Health

OHIO EPA
DEC -7 2015

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 02-23009
Application Received: April 6, 2009
Permit Fee: \$80,000.00
Permit Fee Balance: \$80,000.00 - \$400.00 = \$79,600.00

Applicant: Mahoning Landfill, Inc.

Address: 3510 Garfield Road
New Springfield, OH 44443

Facility: Mahoning Landfill

Location: 3510 Garfield Road
New Springfield, OH 44443

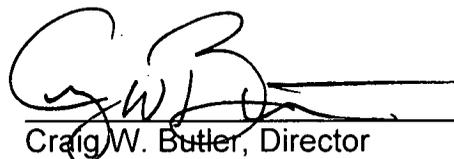
Permit: Vertical and Lateral Expansion

Issuance Date: DECEMBER 7, 2015

Effective Date: DECEMBER 7, 2015

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



Craig W. Butler, Director

PERMIT SUMMARY

This Permit-to-Install (PTI 02-23009) authorizes vertical and lateral expansion of the approved limits of waste placement at Mahoning Landfill (Facility), an existing municipal solid waste landfill located at 3510 Garfield Road, New Springfield, Ohio 44443 in Mahoning County. Mahoning Landfill, Inc. (MLI) is the owner, operator, and the PTI applicant. PTI 02-23009 was received on April 6, 2009, with the most recent revision received on September 29, 2014.

The approved disposal capacity will increase by approximately 14.33 million cubic yards to 24.11 million cubic yards. The total acreage within the limits of waste placement will increase by 51.6 acres to a total of 109.6 acres. The anticipated life expectancy is 53.5 years based on the anticipated average daily waste receipt of 960 tons.

The existing facility and the proposed expansion are designed and constructed with a composite liner system (recompacted clay, geosynthetic clay liner, geomembrane liner), a leachate collection system, a surface water management system, a ground water monitoring system, an explosive gas monitoring system, an explosive gas extraction system, and a composite final closure cap system. The permit incorporates 30 years of post-closure care and financial assurance for closure and post-closure care.

Leachate is currently collected by the composite liner/leachate collection system which directs leachate to sumps. Leachate is then pumped through forcemains to leachate holding tanks. The leachate is hauled offsite to the City of Beaver Falls, PA waste water treatment plant.

A gas extraction system exists for the Facility and is designed to draw the gas by extraction wells to be incinerated or used for electricity production. The gas collection system has been updated in this permit to meet current requirements.

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 Facility's authorized maximum daily waste receipt (AMDWR) is hereby established to be 4,000 tons. This AMDWR supersedes any previously established AMDWR for the Facility.
2. The Director of the Ohio Environmental Protection Agency (Ohio EPA), 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).

3. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to Ohio EPA which constitutes this permit. There shall be no deviation from the approved permit or permit conditions without the express, written approval of Ohio EPA. Any deviation from the approved permit 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.
4. 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.
5. This permit shall apply only to those facilities shown on the plans, specifications, and information submitted as part of PTI 02-23009, received April 6, 2009, and revised through September 29, 2014.
6. 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, the permittee shall comply with this permit. This permit, and the terms and conditions herein, shall take precedence over any conflicting requirements.
7. This permit may be modified, or alternatively revoked and reissued by the Director of Ohio EPA, to comply with any revisions to OAC Chapter 3745-27 applicable to this municipal solid waste disposal facility.
8. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-27.
9. The permittee shall ensure that all proposed monitoring wells are installed and sampling has been initiated prior to waste placement in each sequenced phase of the landfill.
10. The permittee shall, as soon as possible, but not later than one (1) year from the date of installation of all proposed and replacement monitoring wells, sample and statistically analyze the ground water analysis data from these wells in accordance with OAC Rules 3745-27-10(C) and (D).

11. 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.
12. This permit does not authorize the acceptance of any hazardous or infectious wastes, except those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
13. 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.
14. Not later than seven (7) days prior to starting any construction authorized under this permit, the permittee shall submit to Ohio EPA, Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) and the Mahoning County District Board of Health written notification of the anticipated construction start date so that construction of the Facility can be routinely inspected by Ohio EPA, DMWM, NEDO and the Mahoning County District Board of Health.
15. 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, NEDO 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, NEDO 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, NEDO and the Mahoning County District Board of Health 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, NEDO provides written concurrence of the construction certification report for that phase.

16. 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 actions taken, shall be made available to Ohio EPA or the Mahoning County District Board of Health upon request.
 - b. The permittee shall provide for weekly inspection of surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, constructed wetlands, ditches, and culverts and completion of the Municipal Solid Waste Landfill Daily Log of Operations, Form 4. Prompt corrective action shall be taken if necessary. Written results of the inspections, including any corrective actions taken, shall be made available to Ohio EPA or the Mahoning County District Board of Health upon request.
 - c. To ensure proper operation of the sedimentation pond(s), the pond(s) shall be cleaned out as necessary 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).
17. The permittee shall fund a new 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.

END OF PERMIT CONDITIONS



**Division of Materials and Waste Management
Response to Comments**

**Subject: Mahoning Landfill, Mahoning County
Permit-to-Install (PTI No.02-23009): Lateral and Vertical
Expansion**

**Re: Mahoning Landfill.; Permit - Long Term; Public Response; Municipal
Solid Waste Landfills; Mahoning County; MSWL018785**

Agency Contacts

Regarding Mahoning Landfill's permit:

Stephen Bopple, Division of Materials and Waste Management
(330) 963-1199, stephen.bopple@epa.ohio.gov

General environmental concerns:

Mike Settles, Public Interest Center
(614) 644-2160, mike.settles@epa.ohio.gov

Ohio EPA held a public hearing on May 7, 2015, concerning a draft permit-to-install (PTI) Ohio EPA issued to Mahoning Landfill Inc., for a vertical and lateral expansion of its solid waste landfill located at 3510 Garfield Road, New Springfield. This document summarizes the comments and questions received at the public hearing and during the associated comment period, which ended on May 15, 2015.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

Comment 1: Several people asked why they were not notified by mail about the draft permit and public hearing.

Response 1: Ohio EPA values public participation in the permitting process. When the agency issued the draft permit for the facility, a legal notice was placed in local newspapers more than a month before the public meeting. The notice included

information about the draft permit, the public meeting and the public comment period. The legal notice ran in the Youngstown Vindicator on April 1, 2015 and the Boardman News on April 2, 2015.

Two weeks before the public meeting, Ohio EPA's Public Interest Center issued a news release to dozens of media outlets throughout Northeast Ohio. In addition, a citizen advisory was mailed to everyone on the agency's interested parties list for this facility. Ohio EPA's website also displayed information about the meeting.

On April 26, 2015, the Tribune Chronicle published an article regarding the draft permit and public meeting. On April 27, 2015, EP News Wire ran an article with the same information.

Anyone wanting to be included on the interested parties list for this facility can contact Mike Settles in Ohio EPA's Public Interest Center at (614) 644-2160 or mike.settles@epa.ohio.gov.

Comment 2: **Are they taking brine? Are they taking contaminated soils? Would you drink a glass of water from one of their ponds?**

Response 2: The permit does not authorize the acceptance of brine, prohibited hazardous waste or any liquid waste. The facility is permitted to take contaminated soils and other non-hazardous industrial wastes. Water discharged from the ponds is regulated by Ohio EPA and must be tested by the facility. However, because the ponds are not a drinking water source, the discharge does not have to meet public drinking water standards.

Comment 3: **In the past year, the landfill has moved tons of earth. Were Ohio EPA officials and testers watching? Who is testing the methane gas emissions?**

Response 3: Historically, waste had been placed in unlined strip mine trenches at the facility. As part of the issuance of the existing permit in 1995, Ohio EPA included a condition in the permit requiring the owner to relocate the waste from the unlined strip mine trenches into the engineered, lined landfill. The waste relocation work was completed in 2014.

The permit requires the owner to install and maintain a methane gas control system. Methane gas is collected and sent to an onsite power plant where electricity is generated. Limits on methane emissions and other air pollutants are included in the facility's air permit issued through Ohio EPA's Division of Air Pollution Control. Questions regarding the air permit may be directed to: Ynes Arocho, Division of Air Pollution Control, Ohio EPA at (330) 963-1203 or Ynes.Arocho@epa.ohio.gov.

Comment 4: Is the landfill required to test ground waters in the area?

Response 4: The owner maintains a ground water monitoring program in accordance with Ohio Administrative Code 3745-27-10. The facility has 26 onsite monitoring wells that must be sampled semi-annually for the required inorganic and organic parameters. The results are submitted to Ohio EPA and the Mahoning County District Board of Health. The owner must perform semi-annual ground water monitoring for the life of the landfill and for 30 years after closure.

The county health department currently maintains a limited residential well sampling program for residents living within a mile of landfills. For more information regarding the health department's sampling program, contact Environmental Health Director Ryan Tekac at (330) 270-2855 or info@mahoninghealth.org.

Comment 5: Will all the excavation and blasting affect my excellent well water?

Response 5: As mentioned in Response 4, the owner performs semi-annual ground water monitoring. Any adverse impacts to ground water, whether from construction activities or future waste disposal, would first be detected in one or more of the onsite monitoring wells. Those wells provide an early indication of any adverse impacts and would give the owner time to assess and correct the situation before off-site wells could be impacted.

End of Response to Comments