



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

February 22, 2016

Edward Kilbarger
Athens – Hocking Reclamation
Center
PO Box 946
Logan, Ohio 43138

**Re: Athens – Hocking Reclamation Center
Permit - Long Term
Draft for Public Comment
Municipal Solid Waste Landfills
Athens County
MSWL018746**

**Subject: Draft Permit to Install #06-08450 Athens – Hocking Reclamation Center
Landfill**

Dear Mr. Kilbarger:

The application for a Permit to Install (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 Permit to install 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 Permit to install will appear in The Athens Messenger. A public hearing will be held at 6:00 p.m. on Monday, April 11, 2016, at the Athens Public Library, 30 Home Street, Athens, Ohio 45701 in Athens County. Written comments will be accepted for the Director's consideration until the close of business on Monday, April 18, 2016. The application may be reviewed in accordance with Ohio EPA's file review procedures by contacting Ohio EPA Southeast District Office, 2195 Front Street, Logan, Ohio 43138, Tel: (740) 385-8501.

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.

Page 2

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 permit to Install, please contact the Ohio EPA Southeast District Office at the above address and telephone number.

Sincerely,

A handwritten signature in black ink that reads "D. Crumiell-Hagens". The signature is written in a cursive style with a large initial "D" and "H".

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

Enclosure

cc: Kristopher Weiss, PIC
Fanny Haritos, DMWM, CO
Scott Hester, DMWM, CO
Mark Mansfield, DMWM, SEDO
Rich Fox, DMWM, SEDO
Mike Cooper, Athens City-County Health Department

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 06-08450
Application Received: January 18, 2013
Permit Fee: \$1,000.00
Permit Fee Balance: \$600.00

Applicant: Kilbarger Construction, Inc.
Address: PO Box 946
Logan, Ohio 43138

Name: Athens-Hocking Reclamation Center

Location: The facility is located two miles west of Nelsonville, Ohio on the north side of Old US Route 33. Facility address is 17970 Old US Route 33, Nelsonville, Ohio, 45764.

PTI: Operational Modification, Municipal Solid Waste Landfill

Issuance Date:

Effective Date:

The above-named entity is hereby issued a permit approval (permit to install) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit approval 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 approval 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 is a DRAFT version of Permit-to-Install (PTI) Number 06-08450 which, if approved, authorizes the continued acceptance and disposal of secondary aluminum wastes at the Athens-Hocking Reclamation Center (Facility) located in Athens County. Kilbarger Construction, Inc. (KCI) is the owner, operator, and applicant.

In accordance with Ohio Senate Bill 294, Section 4 (effective 9/5/2012):

The owner or operator of a sanitary landfill who, on the effective date of this act, is authorized to dispose of secondary aluminum waste in a monocell or monofill in accordance with the terms and conditions of a valid license issued under Chapter 3734. of the Revised Code and rules adopted under it and who seeks to continue to dispose of secondary aluminum waste after the effective date of this act shall submit to the Environmental Protection Agency an application to modify the permit for the sanitary landfill in accordance with division (A)(2)(a) of section 3734.05 of the Revised Code not later than ninety days after the effective date of this act. An owner or operator who has submitted an application to modify the permit for a sanitary landfill in accordance with this section may continue to dispose of the secondary aluminum waste after the effective date of this act in accordance with the terms and conditions of the effective license for the sanitary landfill until the Director of Environmental Protection issues a final action regarding the application to modify the permit for the landfill pursuant to Chapter 3734. of the Revised Code, provided that the owner or operator is in compliance with the terms and conditions of the license related to secondary aluminum waste and those terms and conditions remain in effect.

Additionally, Ohio Revised Code (ORC) Section 3734.02 (O) states:

- (1) *As used in this division, "secondary aluminum waste" means waste material or byproducts, when disposed of, containing aluminum generated from secondary aluminum smelting operations and consisting of dross, salt cake, baghouse dust associated with aluminum recycling furnace operations, or dry-milled wastes.*
- (2) *The owner or operator of a sanitary landfill shall not dispose of municipal solid waste that has been commingled with secondary aluminum waste.*
- (3) *The owner or operator of a sanitary landfill may dispose of secondary aluminum waste, but only in a monocell or monofill that has been permitted for that purpose in accordance with this chapter and rules adopted under it.*

KCI has been accepting secondary aluminum (SA) waste at the Facility since at least 1994. Beginning in 2007, the Athens City-County Health Department, with assistance from Ohio EPA, began adding special operational and monitoring conditions to the Facility's annual operating license to ensure the SA waste accepted at the landfill would be disposed of in a manner to minimize the risks associated with SA waste reactions. Specifically, license conditions were put in place to:

- discontinue leachate recirculation;
- create monocells for the disposal of SA wastes;
- require the construction of a 5-foot thick thermal barrier between SA waste and MSW waste;
- require the construction of a 5-foot thick thermal barrier between SA waste and the monocell bottom liner;
- require the installation of thermocouples along newly constructed cell floors;
- require SA waste characterization prior to acceptance; and
- require extensive landfill temperature, gas, and settlement monitoring.

This PTI modification proposes to allow KCI to continue acceptance of SA wastes at the Facility. The modification incorporates the license conditions that have been in place since 2007, with minor revisions.

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

PERMIT CONDITIONS

1. The director of 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).
2. This permit shall apply only to those facilities shown on the plans, specifications, and information submitted as part of PTI 06-08450, received January 18, 2013 and revised through October 19, 2015.
3. The acceptance and disposal of SA wastes at the Facility shall be in strict accordance with the plans, specifications, and information submitted as part of the application for this permit approval. There may be no deviation from the approved plans 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.

4. The permittee shall submit the monitoring and testing data required by this permit to Ohio EPA Southeast District Office and the Athens City-County Health Department no less frequently than on a quarterly basis.
5. The permittee shall revise *Figure 1 - Facility Map*, *Figure 3 - Landfill Gas Monitoring Locations*, *Figure 5 - Temperature Monitoring Locations*, *Figure 7 - Landfill Settlement Monitoring Locations*, and *Appendix C - Soil Barrier Maps*, as necessary, to include up-to-date information and submit these updates to Ohio EPA Southeast District Office and the Athens City-County Health Department annually by June 1st.
6. The permittee shall not recirculate leachate at the Facility.
7. Issuance of this permit approval does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
8. This permit approval may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-27 applicable to this municipal solid waste disposal facility.
9. The permittee shall provide for the proper maintenance and operation of the municipal solid waste disposal facility in accordance with the provisions of OAC Chapter 3745-27, Permit-to-Install #06-2998 (issued July 1, 1993), and this permit approval.
10. Nothing in this permit approval 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 approval shall not be interpreted to release the permittee from responsibility under 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.
11. This permit approval 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.

12. This permit approval 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.
13. 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.

END OF PERMIT CONDITIONS