



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

December 28, 2018

William J. Rumpke Jr.
Rumpke Sanitary Landfill, Inc.
10795 Hughes Road
Cincinnati, OH 45251

**Re: Rumpke Sanitary Landfill
Permit - Long Term
Draft for Public Comment
Municipal Solid Waste Landfills
Hamilton County
MSWL018791**

**Subject: Rumpke Sanitary Landfill, Hamilton County
Draft Permit to Install (PTI) Number: 1221259**

Mr. Rumpke:

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 hearing and associated public notice and comment period will be announced next week. A subsequent letter with this information will be sent to your attention. 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 PTI 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.

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Sincerely,



Greg Nichols, Administrative Processing Unit
Division of Materials and Waste Management

Enclosure

ec: Megan Ujvari , DMWM, CO
Jeremy Carroll, DMWM, CO
Michael Harris, DMWM, SWDO
Michelle Ackenhausen, DMWM, SWDO
Heather Lauer, PIC

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 1221259
Application Received: April 3, 2018
Permit Fee: \$ 80,000.00
Permit Fee Balance: \$ 79,600.00

Applicant: Rumpke Sanitary Landfill, Inc.
Address: 10795 Hughes Road
Cincinnati, Ohio 45251

Facility: Rumpke Sanitary Landfill
Address: 10795 Hughes Road
Cincinnati, Ohio 45251

Location: The facility is located 12 miles northwest of downtown Cincinnati, bounded on the west by US Route 27, and to the east by Buell Road and I-275. The site extends northward from Struble Road to approximately just south of Bank Road.

Permit: Vertical and Lateral Expansion

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 permit (PTI Number 1221259) authorizes the vertical and lateral expansion of the approved limits of waste placement at the existing Rumpke Sanitary Landfill (Facility) located at 10795 Hughes Road, Cincinnati, Ohio in Hamilton County. Rumpke Sanitary Landfill, Inc. (Rumpke) is the owner, operator and PTI applicant of the Facility.

The vertical and lateral expansion will create an additional 105 million cubic yards of approved disposal capacity, which increases the total disposal capacity to 196 million cubic yards. The total acreage within the limits of waste placement will increase by 240 acres, which increases the total footprint to 570 acres. The vertical and lateral expansion will provide disposal service for approximately 25 years at the anticipated 10,000 tons per day or 20 years at the authorized maximum daily waste receipt (AMDWR) of 12,500 tons.

The Facility will incorporate into its construction such features as a separatory liner system, composite liner system, leachate collection and management system, a surface water management system, ground water monitoring system, an explosive gas extraction system, and a final closure cap system. The permit also incorporates 30 years of post-closure care and financial assurance for the 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 permit conditions without the express, written approval of Ohio EPA. Any deviation from the approved permit or permit conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute and 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 1221259, received April 3, 2018, with subsequent revisions received through December 19, 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 those excluded from hazardous waste 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 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), Southwest District Office (SWDO) and Hamilton County Public Health written notification of the anticipated construction start date so that construction of the Facility can be routinely inspected by Ohio EPA, DMWM, SWDO and Hamilton County Public Health.
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 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 not be performed and the test results submitted to Ohio EPA, DMWM, SWDO not later than 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 and Hamilton County Public Health not later than 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 actions taken, shall be made available to Ohio EPA, DMWM, SWDO and Hamilton County Public Health upon request.
 - b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, ditches and culverts, shall be inspected at least monthly 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 and Hamilton County Public Health upon request.
 - c. To ensure proper operation of the sedimentation ponds, the ponds shall be evaluated annually and 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).
 - d. The leachate collection system shall be inspected regularly and maintained to prevent blockage or clogging that may impede proper collection of leachate.
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. Within 180 days of permit approval, the permittee shall provide documentation of well abandonment activities for the 2 wells at 10630 Colerain Road and 3073 Buell Road.
18. The Facility's AMDWR is established to be 12,500 tons. The permittee shall not accept more than 12,500 tons of solid waste per day for disposal at the Facility.
19. 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.
20. 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.
21. The permittee is prohibited from placing any waste material in the area designated as "Area of non-MSW-Placement" on Sheets 2B-0 and 2B-4 submitted as part of PTI Number 1221259 (received April 3, 2018, with subsequent revisions received through December 19, 2018) unless the permittee receives the required written property owner consent as specified by OAC Rule 3745-27-07(H)(4)(c).

END OF PERMIT CONDITIONS

VARIANCE

Pursuant to ORC Section 3734.02(A) and OAC Rule 3745-27-03(C), the director may grant a variance if the applicant demonstrates to the director's satisfaction that construction, operation, closure activities, and/or post-closure activities of the solid waste facility in the manner approved by the variance and any terms and conditions imposed as part of the variance will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder.

Variance from OAC Rules 3745-27-08(D)(7)(f)(iii), 3745-27-08(D)(8)(f)(ii), 3745-27-08(D)(12)(a)(v)(b), 3745-27-08(D)(21)(f)(ii), 3745-27-08(D)(25)(a)(vii)(b)

OAC Rule 3745-27-08(D)(7)(f)(iii) requires the owner or operator to meet or exceed the following specification in the design, construction, and quality assurance testing of all engineered components of a sanitary landfill, specifically that added geologic material shall have pre-construction testing of the borrow soils performed on representative samples to determine the grain size distribution according to ASTM D422-63 (sieve and hydrometer) at a frequency of no less than once for every three thousand cubic yards.

OAC Rule 3745-27-08(D)(8)(f)(ii) requires the owner or operator to meet or exceed the following specification in the design, construction, and quality assurance testing of all engineered components of a sanitary landfill, specifically that the recompacted soil liner shall have pre-construction testing of the borrow soils performed on representative samples and the results submitted to the appropriate Ohio EPA district office no later than 7 days prior to the intended use of the material in the construction of the recompacted soil liner. The pre-construction testing shall determine the grain size distribution according to ASTM D422-63 (sieve and hydrometer) at a frequency of no less than once for every one thousand five hundred cubic yards.

OAC Rule 3745-27-08(D)(12)(a)(v)(b) requires the owner or operator to meet or exceed the following specification in the design, construction, and quality assurance testing of all engineered components of a sanitary landfill, specifically that the leachate collection layer shall be placed above the composite liner system which may be protected by the cushion layer and shall be comprised of granular materials that have quality control testing at a frequency of no less than once for every three thousand cubic yards of material to determine the grain size distribution according to ASTM D422-63 (sieve).

OAC Rule 3745-27-08(D)(21)(f)(ii) requires the owner or operator to meet or exceed the following specification in the design, construction, and quality assurance testing of all engineered components of a sanitary landfill, specifically that design and construction of a recompacted soil barrier layer in the composite cap system shall have pre-construction testing of the borrow soils performed on representative samples and the results submitted to the appropriate Ohio EPA district office no later than 7 days prior to the intended use of the material in the construction of the cap soil barrier layer. The pre-construction testing

shall determine the grain size distribution according to ASTM D422-63 (sieve and hydrometer) at a frequency of no less than once for every one thousand five hundred cubic yards.

OAC Rule 3745-27-08(D)(25)(a)(vii)(b) requires the owner or operator to meet or exceed the following specification in the design, construction, and quality assurance testing of all engineered components of a sanitary landfill, specifically that the drainage layer for the composite cap system shall be comprised of granular materials that have quality control testing at a frequency of no less than once for every three thousand cubic yards of material to determine the grain size distribution using ASTM D422-63 (sieve).

The applicant has requested a variance from the requirement to use ASTM D422-63 to determine grain size distribution. ASTM D422-63 was withdrawn in 2016 and replaced with ASTM D6913 M17 "Standard Test Methods for Particle-Size Distribution (Gradation) of Soils Using Sieve Analysis" and ASTM D7928-17 "Standard Test Methods for Particle-Size Distribution (Gradation) of Fine-Grained Soils Using the Sedimentation (Hydrometer) Analysis."

Ohio EPA has reviewed the variance request and has determined that granting a variance from OAC Rules 3745-27-08(D)(7)(f)(iii), 3745-27-08(D)(8)(f)(ii), 3745-27-08(D)(12)(a)(v)(b), 3745-27-08(D)(21)(f)(ii) and 3745-27-08(D)(25)(a)(vii)(b) will not create a nuisance or a hazard to public health or safety of the environment and are unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder. Therefore, pursuant to ORC Section 3734.02(A) and OAC Rule 3745-27-03(C), the permittee is hereby granted a variance from OAC Rules 3745-27-08(D)(7)(f)(iii), 3745-27-08(D)(8)(f)(ii), 3745-27-08(D)(12)(a)(v)(b), 3745-27-08(D)(21)(f)(ii) and 3745-27-08(D)(25)(a)(vii)(b) for the testing requirement utilizing ASTM D422-63. This variance shall remain in effect throughout the effective period of this permit unless otherwise revoked.

END OF VARIANCE