December 22, 2023

Win Waste Innovations
12500 West County Road 18
Fostoria, OH 44830

**Re: WIN Waste Innovations of Seneca County LLC**
**Permit - Long Term**
**Draft for Public Comment**
**Municipal Solid Waste Landfills**
**Seneca County**
**MSWL018786**

**Subject: WIN Waste Innovations of Seneca County LLC, Seneca County**

**Draft Permit to Install (PTI) Number: 1487337**

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 Environmental Protection Agency (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 will be held at 6:00 P.M. on Monday, February 5, 2024, at Stacy's Place, located at 625 Plaza Drive, Fostoria, Ohio 44830. 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 through February 20, 2024. Comments submitted can be emailed to epa.dmwmcomments@epa.ohio.gov or mailed to Ohio EPA DMWM, P.O. Box 1049, Columbus, Ohio 43216-1049, Attention Brian Dearth. This authorization is subject to all rules, regulations, and specified conditions and can be viewed here: https://tinyurl.com/OhioepaIA .

Following the close of the public comment period, the director may issue a final Permit to Install upon such terms and conditions as they find 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, Division of Materials and Waste Management (DMWM) at the above address or call (614) 644-2621.

Sincerely,

*Jeri Main*

Division of Materials & Waste Management

Enclosure

ec: Cassandra Schramm, DMWM, CO
Jeremy Carroll, DMWM, CO
Ernie Stall, DMWM, CO
Michelle Ackenhausen, DMWM, SWDO
Michael Reiser, DMWM, NWDO
Andy Drumm, DMWM, NWDO
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Mr. David Follett, dfollett@win-waste.com
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Mr. Brian Ezyk, bezyk@win-waste.com
Mr. Duanne Lanoue, dlanoue@cecinc.com

# OHIO ENVIRONMENTAL PROTECTION AGENCY

## PERMIT TO INSTALL

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| Application Number: | 1487337 |
| Application Received: | May 6, 2022 |
| Permit Fee: | $80,000 |
| Permit Fee Balance: | $79,600 |
| Applicant: | Win Waste Innovations |
| Address: | 12500 West County Road 18<br>Fostoria, OH 44830 |
| Facility: | WIN Waste Innovations of Seneca County |
| Location: | The facility is located to the northwest of State Route 224 and US 23. |
| 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

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Anne M. Vogel, Director

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## PERMIT SUMMARY

This permit (PTI # 1487337) authorizes the vertical and lateral expansion of WIN Waste Innovations of Seneca County (Facility), an existing municipal solid waste disposal facility located in Loudon Township, Seneca County. WIN Waste Innovations is the permit applicant, operator, and owner of the Facility.

The previously approved disposal capacity at the Facility is approximately 46.8 million cubic yards of permitted airspace and 261.3 acres of waste placement. With the approval of this submittal the permitted airspace increases to 116.6 million cubic yards and 479.8 acres of waste placement. The Facility's life expectancy will be 12.2 years based on an allowable maximum daily waste receipt (AMDWR) of 12,000 tons and 13.9 years at anticipated daily waste receipt of 10,500 tons.

The Facility includes such features as a composite (clay/geosynthetics membrane) liner, leachate collection and management, ground water monitoring system, active landfill gas extraction, explosive gas monitoring, 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.

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

## PERMIT CONDITIONS

1. The Facility's AMDWR is hereby established to be 12,000 tons. This AMDWR supersedes any previously established AMDWR for the Facility. The permittee shall not accept more than 12,000 tons of solid waste and/or construction and demolition debris for disposal at the Facility on any calendar day.
2. 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 (MSW) disposal facility).
3. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to 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 permit or the permit conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of this permit 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 the Facility shown on the plans submitted as part of PTI Application Number 1487337 received on May 6, 2022, with subsequent revisions received through December 21, 2023.

6. 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.

7. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-27.

8. 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.

9. 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.

10. 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.

11. Not later than seven (7) days prior to starting any construction authorized under permit, the permittee shall submit to Ohio EPA, Division of Materials and Waste Management (DMWM) and Seneca County Health Department written notification of

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the anticipated construction start date so that construction of this unit can be routinely inspected by Ohio EPA, DMWM and Seneca County Health Department before the unit is placed into operation.

12. 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 not later than seven 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 not later than seven 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 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 provides written concurrence of the construction certification report for that phase.

13. The permittee shall provide for the following inspections and facility maintenance:

    a. The permittee shall provide for daily inspection of the Facility and the completion of the MSW Landfill Daily Log of Operations, Form 3. 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, DMWM and/or Seneca County Health Department upon request.

    b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, ditches, and culverts, shall be inspected at least 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, and 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, and/or Seneca County Health Department, upon request.

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c. 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 MSW 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, DMWM.

d. A sediment survey for each sedimentation pond documenting the sediment accumulation and the elevation of the base of each pond shall be completed on a yearly basis, and the results from the survey shall be submitted to Ohio EPA, DMWM, not later than April 1 with the annual operation report.

e. 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).

14. The permittee shall execute and fund a financial assurance instrument in accordance with OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 for the current closure and post closure cost estimates at the Facility. Funding shall be completed prior to waste acceptance in any disposal area newly authorized by this permit.

15. Prior to initial waste acceptance in the expanded area authorized by this permit, the Permittee shall submit a report to Ohio EPA for review demonstrating that the Permittee is in substantial compliance with any applicable Ohio EPA administrative order and/or Ohio EPA judicial order.

16. Ohio EPA, DMWM, shall be notified not later than 2 days prior to any soil sampling or scheduled repair at the site and not later than 24 hours after completing any emergency repair to an existing engineered component. This condition shall not apply to routine landfill maintenance.

17. 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.

18. The permittee shall construct and fill the landfill in accordance with the 6-series drawings submitted as part of the PTI application and shall commence construction of the final cap system in accordance with the 6-series drawings, regardless of whether

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or not the entire phase has reached final elevations.

19. Construction certification reports for any constructed or repaired engineered component of the Facility shall be submitted to Ohio EPA, DMWM within three hundred and sixty-five (365) days of the final completion of construction or repair unless extended by Ohio EPA.

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, the permittee shall comply with this permit. This permit, and the conditions herein, shall take precedence over any conflicting requirements.

**END OF PERMIT CONDITIONS**

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