2024 Ohio Environmental Protection Agency 2024

Solid Waste Facility License
Municipal Solid Waste Landfill

License Expires December 31, 2024

Facility:	WIN Waste Innovations of Seneca County LLC CID: 37706 12500 W Co Rd 18 Fostoria, OH 44830	**Licensee:**	WIN Waste Innovations of Seneca County LLC 12500 West County Road 18 Fostoria, OH 44830

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the approved Board of Health and the Director of the Ohio Environmental Protection Agency.

Licensing Authority: Seneca County General Health District

Conditions of Licensure:

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734, 3767, 6111, and 3704 and rules adopted thereunder.

2. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.

3. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.

4. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07. The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734, 3767, 6111, or 3704 of the Ohio Revised Code, or regulations issued thereunder. Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☑ **If checked, Additional Conditions Apply to This License (See Back, or Attachment)**

Julie Richards
Health Commissioner

12-15-2023
Date Issued

2024 LICENSE CONDITIONS

DEFINITIONS

The following definitions apply to these conditions:

"Consent Order" means the Partial Consent Order and Final Judgment Entry entered into by the State of Ohio and Sunny Farms Landfill LLC in Case No. 19-cv-0224 in the Court of Common Pleas of Seneca County, Ohio.

"Facility" means the landfill located at 12500 West County Road 18, Fostoria, Ohio and all appurtenances owned or operated by Licensee, including the portion of the railroad track located on property owned or operated by Licensee, roads at the landfill, borrow pits, and the rail car unloading building.

"Licensee" means the owner and operator of the Facility.

"NPDES Permit" means the National Pollutant Discharge Elimination System ("NPDES") permit issued for the Facility by the Director of Environmental Protection and any future amendments, modifications, or renewals of this permit.

"SCGHD" means the Seneca County General Health District.

"SWPPP" means the Storm Water Pollution Prevention Plan developed pursuant to the NPDES permit.

CONDITIONS

1. Licensee shall maintain the Facility's gas collection and control system to ensure its proper operation to prevent subsurface gas migration and odors. Within 60 days after issuance of this License, Licensee shall submit a report to SCGHD providing SCGHD with all data that was collected for each gas collection well pursuant to Condition No. 1 of Licensee's 2023 license. Licensee shall correct any and all deficiencies in Licensee's implementation of Condition No. 1 of Licensee's 2023 license or Licensee's 2024 license within 60 days after receiving SCGHD's notice of these deficiencies.

2. Licensee shall immediately notify SCGHD in the event that any flare in the Facility's gas collection and control system becomes inoperable or is down for repairs. Licensee shall immediately notify SCGHD upon discovering that the temporary or permanent shutdown, repair, malfunction, or cessation of operation of any other component of the Facility's gas collection and control system has reduced gas collection, increased odors, or increased sulfur dioxide emissions. Licensee shall provide SCGHD with a copy of any subsequent written statement provided to Ohio EPA pursuant to Ohio Adm. Code 3745-15-06(B) about any inoperable flare or about any other issue with the Facility's gas collection and control system.

3. Licensee shall not operate the Facility in a manner that emits odors that endanger the health, safety, or welfare of the public, or causes unreasonable injury or damage to property.

4. Licensee shall provide SCGHD with copies of the following submittals required (or otherwise provided for) by the Consent Order:

   a. The monthly reports required by Paragraph 16. A. i;

   b. Any written requests to reduce reporting frequency submitted by Licensee pursuant to Paragraph 16. A. ii;

   c. Any written requests to terminate monitoring submitted by Licensee pursuant to Paragraph 16. A. iii;

   d. The monthly reports required by Paragraph 16. E;

   e. The annual report required by Paragraph 16. F;

   f. All monthly reports and any notifications required by paragraph 16. I. iv; and,

   g. All submissions to Ohio EPA required by paragraph 16. M;

   Licensee shall provide SCGHD with copies of each of the submittals listed above not later than seven days after submittal to Ohio EPA pursuant to the Consent Order.

5. Licensee shall provide SCGHD with copies of all future reporting submitted to Ohio EPA pursuant to Section C. 1. e) of Ohio EPA Permit to Install ("PTI") P0128797 issued on December 1, 2021 and all reports to Ohio EPA pursuant to the Facility's Title V permit. Licensee shall provide SCGHD with copies of each submittal not later than seven days after submission to Ohio EPA.

6. Licensee shall provide SCGHD with at least two days advance notice that identifies the dates on which Licensee will place the first layer of waste on any composite liner pursuant to Ohio Adm. Code 3745-27-19(D)(1) or, if promulgated as a final rule, Ohio Adm.Code 3745-535-610(C)(1).

7. Licensee shall contain all litter at the Facility so that it is not blown into or deposited on property not owned by Licensee.

8. Licensee shall not apply water to the waste in rail cars in quantities that result in the leakage of water or other liquids from the rail cars. Any water or other liquids leaking from the rail cars inside the rail car unloading building shall be contained on a concrete slab sloped to direct the liquids into a leachate collection sump. The liquids shall be lawfully disposed of at a wastewater treatment facility.

9. Licensee shall require all rail cars of waste entering the Facility to employ measures that prevent litter from being blown off or escaping from the rail cars. Licensee shall not allow any rail car to enter the Facility if the rail car does not employ these measures.

10. Licensee shall repair ponding, erosion, and leachate outbreaks where waste is being deposited or has been deposited and shall undertake the actions necessary to correct the conditions causing ponding, erosion, or leachate outbreaks as soon as practical, but no later than three hours after discovery.

11. Licensee shall require all rail cars of waste entering the Facility to be either watertight or covered with an impermeable and watertight cover so that water and/or other liquids do not leak from the rail cars. Licensee shall daily inspect the loaded and unloaded rail cars at the Facility for leaks or spills of water or other liquids from inside the rail cars and for leaks and spills of oil and hydraulic fluids from the rail cars. Immediately after discovering any such leaks or spills of water or other liquids from inside the rail cars or leaks or spills of oil and hydraulic fluids from the rail cars, Licensee shall stop the leaks and spills or capture them in containers, mats, or other devices to prevent them from entering soil or gravel and shall remove any leaked or spilled materials that have already fallen onto soil or gravel. Licensee shall keep a daily log of inspections conducted pursuant to this condition, including the date and time of each inspection, a description of any leaks and spills, and a description of any actions taken to stop or remediate the leaks and spills. Licensee shall make this log available for SCGHD's review at the Facility and shall provide SCGHD with copies of the log upon request.

12. The Facility shall not discharge pollutants into wetlands or other waters of the state, except as authorized by a National Pollutant Discharge Elimination System ("NPDES") permit issued by the Director of Environmental Protection. Licensee shall notify SCGHD within 30 minutes after the discovery of any such discharge.

13. Licensee shall provide SCGHD with a copy of each future update or revision to the SWPPP within five business days after preparing the update or revision.

14. Licensee shall provide SCGHD with a copy of each inspection report documenting the results of any future inspection pursuant to the NPDES permit or the SWPPP within one business day after preparing the report.

15. Licensee shall provide SCGHD with a copy of each report documenting the results of any future quarterly visual assessment pursuant to the NPDES permit or the SWPPP within one business day after preparing the report.

16. Licensee shall provide SCGHD with a copy of each future documentation pursuant to Paragraphs D.3 and D.4 of Part IV of the NPDES permit or equivalent provisions of future NPDES permits within one business day after its preparation.

17. Licensee shall provide SCGHD with a copy of each Discharge Monitoring Report submitted to Ohio EPA pursuant to the NPDES permit on the same day as the report was submitted to Ohio EPA.

18. Licensee shall provide SCGHD with a copy of each future update or revision to the Spill Prevention, Control, and Countermeasure (SPCC) plan for the Facility within five business days after preparing the update or revision.

19. Licensee shall provide SCGHD with a copy of each inspection report documenting the results of any future inspection pursuant to any SPCC plan within one business day after preparing the report.

20. Licensee shall provide SCGHD with the documentation of all future employee training pursuant to the NPDES permit within five business days after conducting the training.

21. Licensee shall prevent dust from the Facility, including its rail car unloading area, roads, and soil borrow pits, from entering property not owned by Licensee in such a manner or in such amounts as to endanger the health, safety or welfare of the public or cause unreasonable injury or damage to property.

22. By April 30, 2024, Licensee shall provide SCGHD with a report that identifies and provides written documentation of the number of cubic yards of landfill space that was filled in 2023, the number of cubic yards of cover material incorporated into that filled landfill space in 2023, and the tonnage of waste received by the Facility in 2023 that was incorporated into that landfill space. The report shall provide an Airspace Utilization Factor conversion ratio to reconcile the amount of waste by weight as measured upon entry into the Facility with the amount of space occupied by that waste upon incorporation into the landfill. The report shall provide documentation for the accuracy of that ratio.

23. Licensee shall provide SCGHD, its representatives, and contractors with access at reasonable times to the Facility and to any other property in the Facility's vicinity controlled by or available to Licensee, to inspect or investigate, obtain samples and monitoring data, verify data and information submitted to SCGHD, and examine or copy records to determine compliance with this License, the Consent Order, R.C. Chapters 3704, 3714, and 3734, and the rules and permits issued pursuant to those chapters, and to protect public health and safety and the environment.

24. All written notices, reports, and information provided to SCGHD pursuant to these License conditions shall be submitted by email to the Health Commissioner, the Director of Environmental Health, and the environmental health specialist who inspects the Facility, using email addresses provided by SCGHD.