I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: [signature] Date: 2/7/08

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter Of:

Republic Services of Ohio II, LLC dba Countywide Recycling and Disposal Facility 110 S.E. 6th Street Ft. Lauderdale, FL 33301	: : : : :	Director's Final Findings and Orders

Respondent

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Republic Services of Ohio II, LLC, dba Countywide Recycling and Disposal Facility ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code Sections 3704.03 and pursuant to Section V. Paragraph 5 of the March 28, 2007 Director's Final Findings and Orders.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and its successors in interest liable under Ohio law. No change in ownership of Respondent or of the Facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapters 3704 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA makes the following findings:

1. Respondent owns and operates a municipal solid waste disposal landfill ("the

Countywide landfill") located at 3619 Gracemont Street SE, East Sparta, in Pike Township, Stark County, Ohio. The Countywide landfill is an "air contaminant source" as defined in OAC Rules 3745-31-01(I) and 3745-15-01(C) and (W), and is assigned by Ohio EPA facility identification number 15-76-00-1579. The Countywide landfill is subject to the requirements of permit to install modification #15-01391 issued by the Director to Respondent on May 10, 2005, and a Title V operating permit issued by the Director to Respondent on August 30, 2004. Respondent is the permittee under, and permit holder of, those permits.

2. Ohio EPA issued Director's Final Findings and Orders to Respondent on March 28, 2007 (March 2007 Orders). In the March 2007 Orders the Director found that in violation of OAC Rule 3745-15-07(A), Respondent permitted or maintained a public nuisance by causing or allowing the emission or escape into the open air from the Countywide landfill fumes, gases, vapors, odors or other substances or combination of substances in such manner or in such amounts as to endanger the health, safety or welfare of the public or cause unreasonable injury or damage to property. See Finding 57. In the March 2007 Orders the Director also required Respondent to complete certain actions, including sampling of ambient air quality around the Countywide landfill. See Order 5.A. Pursuant to that Order, Respondent has been sampling air quality at four sampling sites around the landfill at least once every sixth day for the following constituents: volatile organic compounds (VOCs), aldehyde/ketone compounds, carbonyl compounds, sulfur compounds and hydrogen fluoride and hydrogen chloride. Sampling for emissions of dioxins and furans was not requested.

3. In the March 2007 Orders the Director also required Respondent to sample monthly and analyze gas from the landfill's gas extraction system. Order 4.A.11

4. Ohio EPA staff reviewed the analytical results of samples of ambient air collected at the four ambient air sampling sites and the results of samples of gas collected from the Countywide landfill's gas extraction system. The analytical results indicated that dibenzo-p-dioxins (dioxins) and dibenzofurans (furans) were detected in gas collected from the gas collection system's headers and in ambient air samples. The concentrations and actual toxic equivalent units (based upon the concentrations of the different compound congeners) were determined to be below conservative health-based screening values. As such, there is no immediate evidence that the public has been exposed to ambient air dioxin or furan compounds at an acute and/or chronic level to impact health.

5. Area residents have continued to express a concern about dioxin emissions that may be generated by the landfill. In order to ensure that landfill gas flares designed to destroy pollutants in landfill gas are not generating dioxins or furans in the combustion process, and to ensure that these compounds are not being created and emitted to the ambient air by the landfill through any other pathway, such that the concentrations of dioxins and furans in the air exceed levels that could pose an acute or chronic danger

to human health, it is necessary to expand the constituents being sampled for by Respondent to include dioxins and furans.

6. VOC (benzene) concentrations in the ambient air sampling conducted beginning in September 2007 until present at the four sites have occasionally exhibited concentrations that are unusually high, that is, several orders of magnitude above the expected average. To date, Ohio EPA has not received a definitive explanation for the high readings at these sites. Now, as the first of step in Ohio EPA's investigation of the potential causes for these high VOC readings, there is the need to verify that Respondent's sample collection methods / laboratory analysis methods are precise and accurate, and correctly represent levels of pollutants in the ambient air on the days of the sampling events.

7. ORC § 3704.03(I) authorizes the Director to require the owner or operator of an air contaminant source to install, employ, maintain, and operate such emissions, ambient air quality, meteorological, or other monitoring devices or methods as the Director shall prescribe; to sample those emissions at such locations, at such intervals, and in such manner as the Director prescribes; to maintain records and file periodic reports with the Director containing information as to location, size, and height of emission outlets, rate, duration, and composition of emissions, and any other pertinent information the Director prescribes; and to provide such written notice to other states as the Director shall prescribe.

8. ORC § 3704.03(I) also provides that in requiring monitoring devices, records, and reports, the Director, to the extent consistent with the federal Clean Air Act, shall give consideration to technical feasibility and economic reasonableness and allow reasonable time for compliance. For sources where a specific monitoring, record-keeping, or reporting requirement is specified for a particular air contaminant from a particular air contaminant source in an applicable regulation adopted by the United States Environmental Protection Agency under the federal Clean Air Act or in an applicable rule adopted by the Director, the Director shall not impose an additional requirement in a permit that is a different monitoring, record-keeping, or reporting requirement other than the requirement specified in the applicable regulation or rule for that air contaminant except as otherwise agreed to by the owner or operator of the air contaminant source and the Director.

9. No specific monitoring, record-keeping, or reporting requirement is specified for dioxins or furans from a municipal landfill in an applicable regulation adopted by the United States Environmental Protection Agency under the federal Clean Air Act or in an applicable rule adopted by the Director.

10. ORC § 3704.05(G) prohibits any person from violating any order, rule or determination of the Director of Ohio EPA issued, adopted, or made under ORC Chapter 3704.

11. The Director, to the extent consistent with the federal Clean Air Act, has given consideration to technical feasibility and economic reasonableness of the following sampling and reporting requirements and to the reasonableness of the following times allowed for compliance. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their benefits to the people of the State to be derived from such compliance.

V. ORDERS

Sampling for dioxins and furans

1. Respondent shall sample the ambient air for all dibenzo-p-dioxin (dioxin) and dibenzofuran (furan) congeners as follows:

A. Such sampling shall be conducted monthly at each of the four (4) ambient air monitoring locations currently being used as part of the ambient air monitoring network created in accordance with Order 5.A of the March 2007 Orders.

B. In addition to the four sampling sites referred to in Order 1.A of these Orders, a fifth secure sampling site shall be proposed by Respondent, subject to approval by Ohio EPA. The fifth site shall be no less than five (5), and not more than ten (10), miles north or south of the Countywide landfill. The fifth site shall also be located approximately the same distance from Interstate I-77 along a line perpendicular to Interstate I-77 as the Bolivar Elementary School site is located from Interstate I-77 along a line perpendicular to Interstate I-77. The purpose of this site is to provide a background site for ambient air dioxin compounds away from the landfill itself, taking into account the known dioxin emissions from mobile sources traveling on Interstate I-77.

C. Dioxin sampling should occur on the same day as the VOC sampling being conducted every sixth day as required by Order 5.A of the March 2007 Orders, unless Respondent shows good cause to the Ohio EPA why sampling should occur on another day.

D. Samples should be collected for a period of 24-hours (or whatever other period is shown by Respondent to be required to obtain proper sample volume and mass at the prescribed flow rate) using high-volume machines fitted with polyurethane foam (PUF) sorbent filters.

E. Samples of dibenzo-p-dioxins and furans shall be analyzed in accordance with the method described in U.S. EPA Compendium Method TO-9A [EPA/625/R-96/010b], which includes analysis for total mass by chlorine class, as well as the 2,3,7,8-chlorinated dioxins and furans. Concentrations above the reportable quantities (detection limits) of the method shall be reported to the picogram level in concentration.

F. Risk analysis shall be conducted on the results of the analysis of the dioxin and furan samples. The risk analysis shall be done in accordance with the U.S. EPA Toxic Equivalency Factors (EPA/625/3-89/016) method, which relates all toxicity values of the various dioxin and furan congeners to the toxicity of 2,3,7,8-tetrachloro-p-dioxin (2,3,7,8-TCDD).

G. Respondent shall submit to Ohio EPA within fifteen (15) days after receipt of these Orders, a plan for sampling for dioxins and furans in accordance with Orders 1. through 1.F. of these Orders, and shall, as expeditiously as practicable, revise and resubmit the plan as required by Ohio EPA until the plan is approved by Ohio EPA. Respondent shall conduct the first sampling event, in accordance with the approved plan and Orders 1. through 1.F. of these Orders, within fifteen (15) days after being notified by Ohio EPA of Ohio EPA's approval of the plan.

H. Respondent shall have the samples collected pursuant to Orders 1. through 1.G of these Orders analyzed in accordance with the approved sampling and analysis plan and Orders 1. E and I.F. of these Orders. Results of the analysis conducted in accordance with Order 1.E shall be reported in accordance with reporting requirements created pursuant to Order 5.A of the March 2007 Orders. Results of the analysis conducted in accordance with Order 1.F shall be reported in the quarterly risk report required under the March 2007 Orders.

VOC Sampling revisions

2. Respondent shall revise as follows its current sampling for VOCs that it is conducting in accordance with Order 5.A of the March 2007 Orders:

A. Beginning on the next practicable regularly-scheduled sampling event conducted after January 2, 2008 pursuant to Order 5.A of the March 2007 Orders, Respondent shall locate, at each of the four sampling sites in and around the facility a canister sampler ("co-located canister sampler") set to operate the same time (i.e., having both the same start time and end time) as the existing ambient air monitor. Respondent shall, to the extent practicable, operate both the existing on-site sampling device and the co-located canister sampler the same way. Twenty-four (24) hours in advance of the time when the canister will be placed at the first sampling site Respondent shall notify Jennifer Kurko of the Ohio EPA, (330) 963 - 1253, of the time when the canisters will be placed at each sampling site and when the canisters will be retrieved, so as to allow an employee of Ohio EPA or the Canton Air Agency to view the sampling activity.

B. Beginning with receipt of these Orders, Respondent shall keep a log of all field activities that occur and conditions observed at the landfill during a forty-eight (48) hour-plus period beginning twenty-four (24) hours before a sample canister is placed

at the first of the four sites sampled and ending when the sample canister is collected at the last of four sites sampled. The log shall be of sufficient detail so that Ohio EPA can attempt to evaluate any correlation between field activities and conditions and results of the ambient air sampling. An example of an entry may be, "Drilled landfill gas collection wells #x, y, and z morning of February x. Subsidence crack 30 feet by 2 inches observed near well #x at 8 am on February x. Excavated waste in area 40 by 20 feet near well #x on afternoon of February x." A copy of the log shall be included in Weekly Progress Report submitted in accordance with Section V., Order #5 of the December 31, 2007 Findings and Orders of the Director issued to Respondent.

C. After collection of the samples, the four co-located canister samplers shall be labeled for identification and delivered within five (5) days after collection to Phil Downey, Ohio EPA, 4675 Homer Ohio Lane, Groveport, Ohio 43125. Each sample shall be accompanied by a sampling data sheet that lists the sample identification number, sampling location, and date and time of sample collection. Each sample shall also be accompanied by a completed chain of custody form. A copy of the chain of custody form that shall be used is attached as Appendix A to these Orders.

D. Respondent shall contact Phil Downey of the Ohio EPA, at (614) 644-3624 or phil.downey@epa.state.oh.us, to make arrangements for the processing and transport of the four co-located canister samplers to the Ohio EPA.

E. Respondent shall conduct the co-located sampling as required in Orders 2 through 2.C. for two sampling events. The two sampling events may be consecutive or not, but the second sampling event shall occur by the end of February, 2008.

F. Nothing in this Order shall prevent the Director from requiring additional co-located sampling events to be conducted by Respondent.

3. Unless otherwise specified, Respondent shall provide Ohio EPA notice at least two days prior to any field or sampling activity undertaken as required pursuant to these Orders.

4. Respondent may request in writing extensions of the time frames set forth in these Orders by submitting a written request to Ohio EPA in accordance with Section XI of these Orders, in which Respondent shows good cause for such an extension.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate upon written notice of the Director of Ohio EPA.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, Respondent's Facility.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent or the Facility.

Where any portion of the work required by these Orders requires a permit or approval, Respondent shall timely submit applications and take all other actions necessary to obtain such permits or approvals. Except as expressly provided herein, these Orders are not, and shall not be construed to be, a permit, exemption or variance issued pursuant to any statute or rule.

IX. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Central Office
Division of Air Pollution Control
Attn: DAPC Enforcement Coordinator
PO Box 1049
Columbus, Ohio 43216-1049

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

X. RESERVATION OF RIGHTS

Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal or equitable action as deemed appropriate and necessary, including seeking penalties against Respondent for noncompliance with these Orders. Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require Respondent to perform additional activities pursuant to the March 2007 Orders, ORC Chapters 3734, 3704, or any other applicable law in the future.

XI. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

IT IS SO ORDERED:

Ohio Environmental Protection Agency

Chris Korleski, Director