



State of Ohio Environmental Protection Agency

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MAR 15 2002

Damon Smith, Environmental Coordinator
Commonwealth Aluminum Concast, Inc.
1372 State Road 1957
P.O. Box 480
Lewisport, Kentucky 42351-0480

OHIO EPA.
MAR 15 2002
DIRECTOR'S JOURNAL

**Re: Commonwealth Aluminum Landfill, Tuscarawas County
Final Closure Certification/Post-Closure Care Plan Approval**

Dear Mr. Smith:

On September 14, 2001, the Court of Common Pleas, Tuscarawas County, Ohio issued the "Amendment to the December 1, 1989, Consent Order" (ACO) that included a compliance schedule for final closure and post-closure care for the Commonwealth Aluminum Landfill (a.k.a. Uhrichsville Recycling Facility Landfill). The landfill is located at 7242 Newport Road, Uhrichsville, Ohio, Tuscarawas County. Pursuant to the ACO, Ohio EPA, Southeast District Office (SEDO), received submittals on August 17, 2001, a revision to a Final Closure Certification/Post-Closure Care Plan; and on September 25, 2001, a plan to modify the existing leachate collection storage system.

Ohio EPA has reviewed the Final Closure Certification/Post-Closure Care Plan which included a ground water monitoring program, the existing financial assurance instrument, and the plan to modify the existing leachate collection storage system. The Final Closure Certification/Post-Closure Care Plan and the plan to modify the existing leachate collection storage system for Commonwealth Aluminum landfill appear to satisfy the requirements of the ACO and are hereby approved with the following conditions:

1. Within seven days of the effective date of this approval, Commonwealth Aluminum Concast, Inc., shall execute and fund the post-closure care financial assurance instrument.
2. Within seven days of the effective date of this approval, Commonwealth Aluminum Concast, Inc., shall implement the Ground Water Monitoring Plan for the Facility.
3. Within seven days of the effective date of this approval, Commonwealth Aluminum Concast, Inc., shall implement the modifications to the leachate collection and storage system.

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

Zona L. Clement 3-15-02

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

4. Commonwealth Aluminum Concast, Inc. shall, at a minimum, annually adjust the post-closure care cost estimates for inflation, and shall make any appropriate revisions to these estimates and to the financial assurance instrument to ensure that the amount funded is at least equal to the newly adjusted post-closure care cost estimates.
5. Commonwealth Aluminum Concast, Inc., shall submit a report to Ohio EPA, SEDO and the Tuscarawas County Health Department not later than the first day of April of each year throughout the post-closure care period. The report shall include the following:
 - (a) A summary of the quantity of leachate collected for treatment and disposal on a monthly basis during the year and the location of leachate treatment and/or disposal.
 - (b) Results of analytical testing of an annual grab sample of leachate for the parameters specified in Appendix I of Rule 3745-29-10 of the Ohio Administrative Code. The grab sample shall be obtained from the leachate management system.
 - (c) The most recent updated post-closure care cost estimate adjusted for inflation and for any change in the post-closure care cost estimate required by rule 3745-29-16 of the Ohio Administrative Code.

The ACO contained order (A)(iii) and order (E) requiring Commonwealth Aluminum Concast, Inc. to submit and implement a plan for the removal of all pallets located at the facility. On February 13, 2002, Commonwealth Aluminum Concast, Inc. submitted a letter stating that all the pallets had been chipped and the chips were sent to a fuel burning facility. The chipping process started on September 4, 2001, and was completed on September 10, 2001. Since the plan was implemented before the signing of the ACO on September 14, 2001, and all the pallets have been removed prior to the issuance of this approval, no further action needs to be taken in order to comply with order (A)(iii) and order (E).

Issuance of this approval will also serve as written concurrence of the certification report that states that all closure activities have been completed at the facility. Pursuant to the ACO, the 30-year post-closure care period shall begin upon the effective date of this approval.

Commonwealth Aluminum Landfill, Tuscarawas County
Final Closure Certification/Post-Closure Care Plan Approval
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Issuance of this approval does not constitute expressed or implied agreement that the *Final Closure Certification/Post-Closure Care Plan* and/or its terms and conditions will constitute compliance with applicable state and federal laws, rules and regulations, nor does issuance of this approval assure that necessary operating permits or licenses will be granted.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be made in writing and set forth the action complained of and the ground upon which the appeal is based. It must be filed with the commission within 30 days after notice of the director's action. A copy of the appeal must be served on the director within three days of filing with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

If you have any questions, or require further assistance, please contact Mr. Brian Queen of Ohio EPA, Southeast District Office at (740) 380-5420.

Sincerely,



Christopher Jones
Director

CC: Tuscarawas County Health Department