



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
122 S. Front Street  
Columbus, OH 43215-1099

TELE: (614)644-3020 FAX: (614)644-2329

MAILING ADDRESS

P.O. Box 1049  
Columbus, OH 43216-1049

OHIO E.P.A.

JUN -4 2002

ENTERED DIRECTOR'S JOURNAL

JUN 4 - 2002

Mr. Michael Migyanko  
Pike Sanitation, Inc.  
123 South Lock Street  
Waverly, Ohio 45690

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

By Zona L. Clements date 6/4/02

**RE: Pike Sanitation Landfill, Pike County  
Alternative Daily Cover Approval**

Dear, Mr. Migyanko:

On April 29, 2002, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southeast District Office (SEDO), received a request dated April 25, 2002 for authorization to use Fabrene G168 and L257 as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at Pike Sanitation Landfill (PSL) in Pike County.

OAC Rule 3745-27-19(F)(3) states, "The director may approve alternative materials and/or thicknesses for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the alternative material and/or thickness provides comparable protection and is protective of human health and the environment."

Ohio EPA recognizes that Fabrene G 168 and L257 have the potential to provide protection comparable to six inches of soil as required by OAC Rule 3745-27-19(F). Therefore, pursuant to OAC Rule 3745-27-19(F)(3), I hereby authorize the owner/operator to use Fabrene G 168 and L257 as an alternative to six inches of soil for daily cover at the facility for a trial period to end one hundred eighty (180) days from the effective date of this authorization.

This approval is granted with the following conditions:

1. This authorization is limited to the use of only Fabrene G168 and L257 at the Pike Sanitation Landfill. No other alternative daily cover material may be used at the PSL without prior authorization from Ohio EPA.

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

2. The owner/operator shall place Fabrene G168 or L257 over exposed waste materials by the end of the working day, or more frequently if necessary, to control fire hazards, blowing litter, odors, dust, insects and rodents.
3. If inclement weather conditions render the placement or use of Fabrene G168 or L257 ineffective or otherwise unsatisfactory, the owner/operator shall temporarily revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F) until such conditions cease to exist. Under such circumstances, the owner/operator may apply another alternative daily cover material that has been approved for use at the facility, provided that the alternative daily cover material is able to perform effectively under the inclement conditions.
4. If the owner/operator determines that Fabrene G168 or L257 is ineffective, or otherwise unsatisfactory under normal operating conditions, the owner/operator shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the owner/operator may apply another alternative daily cover material that has been approved for use by Ohio EPA at PSL. The owner/operator shall verbally notify Ohio EPA, SEDO and the Pike County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, SEDO within fourteen (14) calendar days. This notification is not necessary if the use of Fabrene G168 or L257 ceases on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA determines that the use of Fabrene G168 and/or L257 is ineffective or unsatisfactory under normal operating conditions, then permission to use Fabrene G168 and/or L257 may be revoked by the Director of Environmental Protection. Immediately upon such revocation, the owner/operator shall cease using Fabrene G168 and/or L257 at the facility and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the owner/operator may apply another alternative daily cover material that has been approved for use at the facility..
6. PSL shall not have more than 43,560 square feet of waste covered with alternative daily cover material at any one time. This maximum area applies to the use of Fabrene G168 and L257 by themselves or in combination with other alternative daily cover materials that the director has authorized to be used at PSL.
7. Fabrene G168 and/or L257 shall not be used as intermediate or final cover. Any solid waste disposal area that remains inactive for a period of seven (7) days, and which has been covered with Fabrene G168 or L257, shall be covered with at least six inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day.

8. Not later than one hundred twenty (120) days after the effective date of this authorization, the owner/operator shall submit to Ohio EPA, SEDO a report comparing the effectiveness of Fabrene G168 and L257 to conventional soil cover and other alternative daily cover materials that have been used at the facility. If, as provided in Condition Number 4 or 5, the owner/operator ceases to use Fabrene G168 and/or L257 prior to the end of the one hundred eighty (180) day trial period, then the report shall be due no later than thirty (30) days after use ceases. In either situation, the report shall contain a discussion of the following items:
  - a. Number of days the material was used;
  - b. Weather conditions at the time the material was inspected;
  - c. Number of days odors were detected;
  - d. Presence of vectors, rodents, and insects;
  - e. Any increase in blowing litter; and
  - f. Method(s) for controlling fire during use of alternative daily cover material.
9. Photographs from at least two opposing sides of the working face shall be taken of the working face after Fabrene G168 or L257 has been applied. At least four such series of photographs shall be taken during the trial period. These photographs shall be included in the report required by Condition Number 8.
10. The use and location of Fabrene G168 and L257 shall be documented on the Municipal Solid Waste Disposal Facility Daily Log of Operations, Form 3. This document shall also include a map that shows where Fabrene G168 and/or L257 were utilized as alternative daily cover relative to the working face.
11. This authorization to use Fabrene G168 and L257 will expire one hundred eighty (180) days after the effective date of this authorization. The owner/operator may not use Fabrene G168 or L257 as alternative daily cover after that date unless authorization for continued use has been provided by Ohio EPA.
12. Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This letter shall not be interpreted to release the owner/operator from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code; under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

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 (Commission) pursuant to Section 3745.04 of the Ohio Revised Code, The appeal must be in writing and

set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) 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

In the event that the owner/operator finds Fabrene G168 or L257 to be acceptable and wishes to continue its use, authorization for ongoing use of this material after the one hundred eighty (180) day trial period is required. In order to avoid temporary discontinuance of the use of Fabrene G168 or L257, Ohio EPA recommends that a request for continued authorization be submitted at least forty-five (45) days prior to the end of the trial period.

If you have any questions regarding this authorization, please contact Dan Bergert of Ohio EPA, Southeast District Office at (740) 380-5438.

Sincerely,



Christopher Jones  
Director

cc: Steve Rhine, DSIWM-SEDO  
Scott Hester, DSIWM-CO  
Sandy Colegrove, Pike County Health Department