



State of Ohio Environmental Protection Agency

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July 16, 2002

RE: Director's Final Findings & Orders

CERTIFIED MAIL

Allied Waste Industries, Inc.
Williams County Landfill
12604 Road G
Bryan, OH 43506

Dear Sir or Madam:

Transmitted herewith are Final Findings & Orders of the Director concerning the matter indicated.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the ground upon which the appeal is based. It must be filed with the Appeals 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 Appeals Commission. An appeal may be filed at the following address:

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

Sincerely,

Kimberly Reese
Systems Management Unit
Division of Solid & Infectious Waste Management

Enclosure: Director's Final Findings and Orders

cc: Scott Hester, CO, DSIWM ✓
Ellen Gerber, NWDO, DSIWM
Mannik & Smith Group, Inc.
Williams County Health Department

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

OHIO E.P.A.
JUL 16 2002
ENTERED DIRECTOR'S JOURNAL

Issuance Date: JUL 16 2002

Effective Date: JUL 16 2002

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

IN **THE** MATTER OF

Allied Waste Industries, Inc. :
Williams County Landfill :
12604 Road G
Bryan, OH 43506

Director's Final
Findings and Orders

Pursuant to Chapter 3734 of the Ohio Revised Code (ORC), the Director of Environmental Protection hereby makes the following findings and issues the following orders.

FINDINGS

1. Allied Waste Industries, Inc. (Allied), is the owner, operator, permittee, and licensee of the Williams County Landfill (Facility), located at 12604 County Road G, Bryan, Ohio, Williams County. The Facility is a sanitary landfill facility as that term is defined in Ohio Administrative Code (OAC) Rule 3745-27-01. Allied is currently operating the Facility pursuant to Permit to Install No. 03-6551 (PTI), effective April 5, 1995.
2. OAC Rule 3745-27-08(C)(6)(d)(iv) states, "The sedimentation pond shall be constructed using a recompacted soil liner, a flexible membrane liner, or a combination thereof, based on a design acceptable to the director."
3. On May 22, 2002, The Mannik & Smith Group, Inc. on behalf of Allied, submitted a letter to the Ohio Environmental Protection Agency (Ohio EPA) requesting an alteration to eliminate the 2-foot thick recompacted soil liner in the southwest and northwest sedimentation ponds.
4. In accordance with the Division of Solid and Infectious Waste Management Guidance Document #112, "the sole purpose of the liner in a sedimentation basin is water retention. In areas where in-situ low permeability clay is present, a liner may be unnecessary". Based upon previously submitted soil data, Williams County Landfill has low permeability in situ soil that is capable of retaining water.

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.

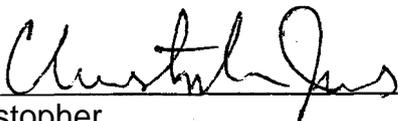
By: Zona L. Clement Date: 7/16/02

5. Pursuant to ORC Section 3734.02(G), the director may, by order, exempt any person generating, storing, treating, disposing of, or transporting solid waste in such quantities or under such circumstances that are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a permit or license or comply with other requirements of ORC Chapter 3734 and any rules adopted thereunder.
6. The design proposed in the exemption request will perform effectively in retaining water in the sedimentation basins. Therefore, granting the exemption from the requirement to install a liner in the sedimentation basins is unlikely to adversely affect public health or safety or the environment.

ORDERS

1. Allied is hereby granted an exemption, pursuant to ORC Section 3734.02(G), from the requirement of OAC Rule 3745-27-08(C)(6)(d)(iv) to construct a liner system in the sedimentation basins. The sedimentation basins must be constructed in accordance with the revised PTI plan sheet 7M and in such a manner that they are stable, are proof rolled prior to use, and retain water.
2. Nothing in these Findings and Orders shall be construed to authorize any waiver from any other requirements of applicable state solid waste laws or regulations except as specified herein. This exemption shall not be interpreted to release Allied from responsibility under Chapters 3704, 3434, or 6111 of the Ohio Revised Code; under the Federal Clean Water Act or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable laws for remedying conditions resulting from any release of contaminants from the Facility to the environment. Nothing in these orders shall be construed to indicate that Allied has operated, is operating, or will operate the Facility in compliance with applicable laws, regulations and authorizing documents.

IT IS SO ORDERED



Christopher
Director