



State of Ohio Environmental Protection Agency

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OCT 23 2002

Mr. Freeman Mullet
Mt. Eaton Reclamation, Inc.
P.O. Box 256
Mt. Eaton, Ohio 44659

OHIO E.P.A.
OCT 23 2002
ENTERED DIRECTOR'S JOURNAL

*cc/esc/21
10/23/02*

RE: Mt. Eaton Landfill, Wayne County
Alternative Daily Cover Approval

Dear Mr. Mullet:

On July 22, 2002, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received your request dated July 19, 2002, for authorization to use alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Mt. Eaton Landfill (Facility) located in Wayne County.

*cc/esc/21
10/23/02*

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."

*cc/esc/21
10/23/02*

By written correspondence dated July 19, 2002, the owner/operator requested permission to use one or more of the following materials as alternative daily cover material at the Facility,

- Beltech woven polypropylene geosynthetic geotextile
- Amcon woven geotextiles or woven coated polypropylene geosynthetic
- Airspace Saver high density woven polyethylene coated fabric with polyester straps
- Exxon geotextile (3601)
- Fabrene high tensile strength lightweight woven polyethylene
- GeoCover geotextile
- GSE high-density polyethylene geomembrane

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

Ohio EPA recognizes that the materials listed above 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 the use of the materials listed above 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 one or more of the materials listed above at the Facility. No other alternative daily cover material; may be used at the Facility without prior authorization from Ohio EPA.
2. The owner/operator shall place one or more of the materials listed above 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 one or more of the materials listed above ineffective or otherwise unsatisfactory, the owner/operator shall temporarily 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, provided that the alternative daily cover material is able to perform effectively under inclement conditions.
4. If the owner/operator determines that one or more of the materials listed above 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 the Facility. The owner/operator shall verbally notify Ohio EPA, NEDO and the Wayne County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, NEDO within fourteen (14) calendar days. This notification is not necessary if the use of the alternative cover material ceases on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA determines that the use of one or more of the materials listed above is ineffective or unsatisfactory under normal operating conditions, then permission to use the material(s) may be revoked by the Director of Environmental Protection. Immediately upon such revocation, the owner/operator shall cease using the material(s) 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. The owner/operator shall not have more than 6,400 square feet of alternative daily cover at any one time. This maximum includes all forms of alternative daily cover that are in use at any one time at the Facility.
7. The owner/operator shall promptly repair or replace the alternative daily cover material if it becomes frayed, torn, ripped, or otherwise rendered unuseable and is therefore no longer able to serve its intended purpose.
8. The materials listed above 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 one or more of the materials listed above, 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.
9. Any scrap tires used by the owner/operator to secure the alternative daily cover material shall be managed in accordance with Chapter 3734 of the Ohio Revised Code and the rules promulgated thereunder.
10. Not later than one hundred twenty (120) days after the effective date of this authorization, the owner/operator shall submit to Ohio EPA, NEDO a report comparing the effectiveness of the materials listed above to the use of conventional soil cover at the Facility. If, as provided in Condition Number 4 or 5, the owner/operator ceases to use all the materials listed above prior to the end of the one hundred eighty (180) day trial period, then the report shall be due not later than thirty (30) 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
 - f. Method(s) for controlling fire during use of alternative daily cover material

Photographs of the working face shall be taken from at least two opposing sides after any of the materials listed above have 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 10.

This authorization to use any of the materials listed above will expire one hundred eighty (180) days after the effective date of this authorization. The owner/operator may not use any of the materials listed above as alternative daily cover after that date unless authorization for continued use has been provided by Ohio EPA.

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 any of the materials listed above to be acceptable and wishes to continue use, authorization for on-going use of the material(s) after the one hundred eighty (180) day trial period is required. In order to avoid temporary discontinuance of the use of the materials listed above, 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.

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If you have any questions regarding this authorization, please contact Murat Tukul of Ohio EPA, NEDO at (330) 963-1192.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Jones". The signature is fluid and cursive, with the first name "Chris" and last name "Jones" clearly visible.

Christopher Jones
Director

CJ/JWW/cl

cc: Murat Tukul, DSIWM-NEDO
Scott Hester, DSIWM-CO
Steve Rich, Wayne County Health Department