



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184

MAILING ADDRESS:

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

(copy) to be placed in the file of the
of the State of Ohio
Environmental Protection Agency

Amy Jackson 10-14-03

OCT 14 2003

Mr. Rick Kostelnick
Noble Road Landfill
170 Noble Road East
Shiloh, Ohio 44878

ENVIRONMENTAL PROTECTION AGENCY

OCT 14 2003

OHIO E.P.A.

**Re: Noble Road Landfill, Richland County
Alternative Daily Cover Approval**

Dear Mr. Kostelnick:

On July 11, 2003, the Ohio Environmental Protection Agency (Ohio EPA) received a request to use Fabrene L257 as alternative daily cover material at the Noble Road Landfill (Facility) located in Richland County. Fabrene L257 is a synthetic tarp material. The request was made in accordance with paragraph (F)(3) of Ohio Administrative Code (OAC) Rule 3745-27-19.

Paragraph (F)(3)(b) of OAC Rule 3745-27-19 states that I may approve alternative materials and/or thicknesses for daily cover if the owner or operator can demonstrate to my satisfaction that the alternative material and/or thickness provides protection comparable to six inches of soil and is protective of human health and the environment.

Fabrene L257 has been approved for use as alternative daily cover at other solid waste landfill facilities in Ohio. Based on the material's performance at these other facilities, I have determined that its use as alternative daily cover provides protection comparable to six inches of soil and is protective of human health and the environment. Therefore, I hereby approve the use of Fabrene L257 at the Facility. As part of this approval, the owner or operator is subject to the following conditions:

1. This approval is limited to the use of only Fabrene L257 at the Facility. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall place Fabrene 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 will render the placement or use of Fabrene L257 ineffective or otherwise unsatisfactory, the owner or operator shall temporarily revert to using conventional soil cover in accordance with paragraph (F) of OAC

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

Rule 3745-27-19 until such conditions cease to exist. Under such circumstances, the owner or operator may apply another alternative daily cover material that has been approved for use at the Facility, provided that the material is able to perform effectively under the inclement conditions.

4. If the owner or operator determines that Fabrene L257 is ineffective or otherwise unsatisfactory, the owner or operator shall immediately revert to using conventional soil cover in accordance with paragraph (F) of OAC Rule 3745-27-19. Under such circumstances, the owner or operator may apply another alternative daily cover material that has been approved at the Facility. The owner or operator shall notify Ohio EPA, Northwest District Office (NWDO) and the Richland County health Department of this action by the end of the next working day and shall submit written notification within 14 calendar days. This notification is not necessary if the use of Fabrene L257 ceases on a temporary basis in accordance with Condition Number 3, above.
5. If Ohio EPA determines that the use of Fabrene L257 is ineffective or unsatisfactory under normal operating conditions, authorization to use the material may be revoked upon written notification from the director of Ohio EPA. Upon such revocation, the owner or operator shall immediately cease use of Fabrene L257 as alternative daily cover at the Facility and shall revert to using conventional soil cover in accordance with paragraph (F) of OAC Rule 3745-27-19. Under such circumstances, the owner or operator may apply another alternative daily cover material that has been approved for use at the Facility.
6. The owner or operator shall not have more than 10,000 square feet of the facility covered with alternative daily cover material at any time. This maximum area applies to the use of Fabrene L257 by itself or in combination with other alternative daily cover materials that have been approved for use at the Facility.
7. Fabrene L257 shall not be used as intermediate, transitional, or final cover. Any solid waste disposal area which remains inactive for a period of seven days and is covered with Fabrene L257 shall be covered with at least six inches of soil in accordance with paragraph (F) of OAC Rule 3745-27-19 by the end of the seventh day.
8. The owner or operator shall promptly replace or repair Fabrene L257 if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
9. Any scrap tires used by the owner or operator to secure Fabrene L257 shall be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the

rules promulgated thereunder and shall comply with paragraph (D) of OAC Rule 3745-27-78.

10. The use of Fabrene L257 as alternative daily cover shall be documented on the required Daily Log of Operations, Form 3 on each day it is used as an alternative daily cover material.

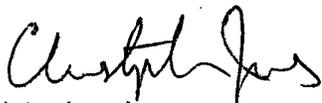
Nothing in this approval shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This approval shall not be interpreted to release the owner or operator from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation and Liability Act; or from other 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 pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the commission within 30 days after the 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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

If you have any questions regarding this authorization, please contact Mary Ann Miller of Ohio EPA's Northwest District Office at (419) 373-3060.

Sincerely,



Christopher Jones
Director

cc: Richland County Health Department
Jay Roberts, Allied Waste
Scott Hester, DSIWM, CO
Mary Ann Miller, DSIWM, NWDO
DSIWM, NWDO File