



State of Ohio Environmental Protection Agency

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

Mr. Tim Houck, Landfill Manager  
Defiance County Landfill  
500 Court Street, Suite E  
Defiance, Ohio 43512

**Re: Defiance County Landfill, Defiance County  
Alternative Daily Cover Approval**

Dear Mr. Houck:

On December 23, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received your written request for authorization to use foundry sand from the General Motors Powertrain (GMPT) facility as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Defiance County Landfill (Facility). Specifically, the request was for authorization to continue to use foundry sand as alternative daily cover material beyond the one hundred eighty (180) day trial period that was established in a previous authorization issued by Ohio EPA, dated June 24, 2004.

OAC Rule 3745-27-19(F)(3)(a) states, "[t]he director may approve solid waste to be used as alternative material for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the solid waste proposed for use can provide protection comparable to six inches of soil and is protective of human health and the environment."

In the June 24, 2004, approval, Ohio EPA granted the owner or operator authorization to use foundry sand generated from the GMPT North Perimeter Area Closure as alternative daily cover material at the Facility for a 180-day trial period. During this period, Ohio EPA, NWDO monitored the performance of the foundry sand to determine its effectiveness and ability to function as alternative daily cover material. Additionally, as required by the June 24, 2004, authorization, the owner or operator submitted a report to Ohio EPA, NWDO, detailing the performance of the foundry sand as daily cover during the trial period.

Based on the results of Ohio EPA's monitoring and the information contained in the aforementioned report, Ohio EPA has determined that the foundry sand functioned effectively as alternative daily cover material at the Facility. Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(a), I hereby authorize the owner or operator to use foundry sand as alternative daily cover material at the Facility on an on-going basis.

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Joseph P. Koncelik, Director

As part of this approval, the owner or operator is subject to the following conditions:

### **CONDITIONS**

1. This approval only authorizes the owner or operator to use the foundry sand, as specified in Condition Number 2, as alternative daily cover material at the Defiance County Landfill. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall use only foundry sand that is from the GMPT North Perimeter Area Closure as alternative daily cover material at the Facility, as described in the request received by Ohio EPA on December 23, 2004.
3. The owner or operator shall place the foundry sand over exposed waste materials by the end of the working day, or more frequently as necessary, to control fire hazards, blowing litter, odors, dust, insects, and rodents.
4. If inclement weather conditions render the placement or use of the foundry sand ineffective or otherwise unsatisfactory, the owner or 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 or 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.
5. If the owner or operator determines that the foundry sand is ineffective or otherwise unsatisfactory under normal operating conditions, the owner or operator shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the owner or operator may apply another alternative daily cover material that has been approved for use at the Facility. The owner or operator shall verbally notify Ohio EPA, NWDO of this action by the end of the next working day and shall submit written notification to Ohio EPA, NWDO within fourteen (14) calendar days. This notification is not necessary if the use of the foundry sand ceases on a temporary basis in accordance with Condition Number 4, above.
6. If Ohio EPA determines that the use of the foundry sand is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the material may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, the owner or operator shall cease using the foundry sand as alternative daily cover material 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 or operator may apply another alternative daily cover material that has been approved for use at the Facility.

7. The Defiance County Landfill shall not have more than 30,000 square feet of waste covered with the alternative daily cover material at any one time. This maximum area applies to the use of the foundry sand alone or in combination with other alternative daily cover materials that the Director has authorized to be used at the Facility.
8. The foundry sand 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 the foundry sand, shall be covered with at least six (6) inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day. Prior to applying the soil cover, the foundry sand shall be removed or otherwise prepared, as necessary, so as not to impede the flow of leachate to the leachate management system.
9. The use and location of the foundry sand shall be documented on Form 3 of the required daily logs. This documentation shall also include a map that shows where and when the foundry sand was utilized as alternative daily cover material relative to the working face.
10. Any foundry sand brought to the Facility for disposal or use as alternative daily cover material shall be included in the Facility's authorized maximum daily waste receipt (AMDWR).
11. The owner or operator shall collect and remit the applicable local and state solid waste disposal and/or management fees for any foundry sand disposed at the Facility or used as alternative daily cover material.
12. The approval does not include authorization to stockpile the foundry sand at the Facility. Any foundry sand received shall either be used as alternative daily cover material at the working face or disposed of by the end of the day on which it was received.
13. The use of foundry sand as alternative daily cover material shall only occur on internal slopes where run-off is directed to the leachate collection system. No drainage from this alternative daily cover material shall enter the surface water management system.
14. Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations except as specified herein. This letter shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water

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Act, the Resource Conservation and Recovery Act, or the 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 is final and may be appealed to the Environmental Review Appeals Commission (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. 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  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions regarding this authorization, please contact Mike Reiser of Ohio EPA, NWDO at (419) 373-3126.

Sincerely,

Joseph P. Koncelik  
Director

JPK/MR/MM/sw

cc: Mike Reiser, DSIWM-NWDO  
Scott Hester, DSIWM-CO  
Jim Hamilton, Mannik & Smith Group, Inc.