



State of Ohio Environmental Protection Agency

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Mr. Chris Carpenter, General Manager
Williams County Landfill
12604 County Road G
Bryan, Ohio 43543

**Re: Williams County Landfill, Williams County
Alternative Daily Cover Temporary Approval**

Dear Mr. Carpenter:

On October 14, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received your written request, dated October 11, 2005, for authorization to use steel slag from Steel Dynamics, Inc. as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b) at the Williams County Landfill (Facility) located in Williams County.

OAC Rule 3745-27-19(F)(3)(b) states, "The director may approve alternative materials, other than solid waste, and/or other thicknesses for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the proposed alternative material and/or thickness provides protection that is comparable to six inches of soil and is protective of human health and the environment. The owner or operator must obtain written approval to use an alternative material and/or thickness for daily cover prior to utilizing the alternative material and/or thickness."

Ohio EPA recognizes that the steel slag has 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)(b), I hereby authorize the owner or operator of the Williams County Landfill to use the steel slag as an alternative to six inches of soil for daily cover at the Facility for a trial period of one hundred eighty (180) days from the effective date of this authorization.

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

CONDITIONS

1. This authorization is limited to the use of only steel slag from Steel Dynamics, Inc. located in Butler, Indiana. The steel slag shall be of similar chemical composition, similar physical

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Joseph P. Koncelik, Director

properties, and consistent with the waste characterization profile included in the October 14, 2005, submittal.

2. This authorization is limited to the use of only steel slag, as specified in Condition Number 1, above, at the Williams County Landfill. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.
3. The owner or operator shall place the steel slag 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.
4. If inclement weather conditions will render the placement or use of the steel slag 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 steel slag 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 not later than fourteen (14) calendar days after the action has been undertaken. This notification is not necessary if the use of the steel slag ceases on a temporary basis in accordance with Condition Number 4, above.
6. If Ohio EPA determines that the use of the steel slag 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 steel slag 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 authorized for use at the Facility.
7. The owner or operator shall not have more than 50,000 square feet of the waste covered with alternative daily cover material at any one time. This amount represents the maximum area of the Facility that can be covered with alternative daily cover material at any one time. This maximum area applies to the use of the steel slag alone or in combination with other

alternative daily cover materials that the Director has authorized for use at the Facility.

8. The use and location of the steel slag shall be documented on the required Municipal Solid Waste Landfill Facility Daily Log of Operations, Form 3 on each day it is used as alternative daily cover material.
9. The steel slag 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 that has been covered with the steel slag 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 steel slag shall be removed or otherwise prepared as necessary prior to placement of the next layer of waste so as not to impede the flow of leachate to the leachate management system.
10. Not later than one hundred and twenty (120) days after the effective date of this authorization, the owner or operator shall submit to Ohio EPA NWDO a report comparing the effectiveness of the steel slag to conventional soil cover and other alternative daily cover materials that have been used at the Facility. If, as provided in Condition Numbers 5 or 6, above, the owner or operator ceases to use the steel slag prior to the end of the one hundred eighty (180) day trial period, then the report shall be due not later than thirty (30) days after use ceases. In either situation, the report shall contain, at a minimum, a discussion of the following items:
 - the number of days the material was used,
 - weather conditions at the time placement of the material was evaluated for effectiveness as daily cover,
 - number of days odors were detected,
 - presence of vectors, rodents, and insects,
 - any increase in blowing litter, and
 - method(s) for controlling fire during use of alternative daily cover material.
11. Photographs from at least two opposing sides of the working face shall be taken of the working face each day that the steel slag has been applied. At least four such series of photographs shall be included in the report required by Condition Number 10, above, for the steel slag used during the trial period. If the steel slag was used for fewer than four days during the trial period, the owner or operator shall include the photographs, for each day the steel slag was used, in the report required by Condition Number 10, above.
12. This authorization to use the steel slag shall expire one hundred eighty (180) days after its effective date. The owner or operator shall not use the steel slag as alternative daily cover at the Facility after that date, unless the owner or operator requests and receives approval for continued use of the material.

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13. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This letter shall not be interpreted to release the owner or operator of the Williams County Landfill from responsibility under Ohio Revised Code (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 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

In the event that the owner or operator finds the use of the steel slag to be acceptable and wishes to continue to use it as alternative daily cover at the Facility, authorization for on-going use beyond the one hundred eighty (180) day trial period is required. To avoid having to temporarily discontinue the use of the steel slag, Ohio EPA recommends that a request for continued authorization be submitted at least forty-five (45) days prior to the end of the one hundred eighty (180) day trial period.

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/MM/sw

cc: Mike Reiser, DSIWM-NWDO
Ellen Gerber, DSIWM-NWDO
Scott Hester, DSIWM-CO