



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Scott Cook
Countywide Recycling and Disposal Facility
3619 Gracemont Street S.W.
East Sparta, Ohio 44626

**RE: Countywide Recycling and Disposal Facility, Stark County
Alternative Daily Cover Temporary Approval**

Dear Mr. Cook:

On July 18, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a request, dated July 14, 2005, for authorization to use Class 1 compost from the Medina Central Processing Facility (Compost) as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(a) at the Countywide Recycling and Disposal Facility (Facility) located in Stark County.

OAC Rule 3745-27-19(F)(3)(a) states, "The 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 material proposed for use can provide protection 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 solid waste for alternative daily cover prior to utilizing the solid waste."

Ohio EPA recognizes that the Compost 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)(a), I hereby authorize the owner or operator of the Facility to use the Compost 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 approval only authorizes the owner or operator to use the Compost, as specified in Condition Number 2, as alternative daily cover material at the Facility. No other

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

alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.

2. The owner or operator shall use only Class 1 compost from the Medina Central Processing Facility in Medina, Ohio (Compost), as described in the July 14, 2005, request received by Ohio EPA on July 18, 2005.
3. Not later than seven (7) days prior to using the Compost as alternative daily cover material at the Facility, the owner or operator shall send initial written notification of the anticipated start date to the Stark County Health Department.
4. The owner or operator shall place the Compost 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.
5. Any liquid that comes into contact with the Compost, either during use as alternative daily cover material or during storage, shall be directed into the leachate collection system.
6. If inclement weather conditions render the placement or use of the Compost 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.
7. If the owner or operator determines that the Compost 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 by Ohio EPA at the Facility. The owner or operator shall verbally notify Ohio EPA, NEDO and the Stark County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, NEDO not later than fourteen (14) calendar days after the action has been undertaken. This notification is not necessary if use of the Compost ceases only on a temporary basis in accordance with Condition Number 6, above.
8. If Ohio EPA or the Stark County Health Department determines that the use of the Compost 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. Immediately upon such revocation, the owner or operator shall cease using the Compost 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.

9. The owner or operator shall not use the Compost as intermediate or final cover. Prior to placing additional waste in a disposal area, the Compost 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. Any Compost brought to the Facility for disposal or use as alternative daily cover material shall be counted toward the Facility's authorized maximum daily waste receipt.
11. The use and location of the Compost as alternative daily cover shall be documented on the required Municipal Solid Waste Landfill Daily Log of Operations, Form 3 on each day it is used as alternative daily cover material.
12. Not later than one hundred twenty (120) days after the effective date of this authorization, the owner or operator shall submit to Ohio EPA, NEDO a report comparing the effectiveness of the Compost to conventional soil cover and other alternative daily cover materials that have been used at the Facility. If, as provided in Condition Number 7 or 8, above, the owner or operator ceases to use the Compost 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:
 - a. The number of days the material was used,
 - b. Weather conditions at the time placement of the material was evaluated for effectiveness as daily cover,
 - c. Number of days odors were detected,
 - d. Presence of vectors, rodents, and insects,
 - e. Any increase in blowing litter, and
 - f. Method(s) for controlling fire during use of alternative daily cover material.
13. Photographs from at least two (2) opposing sides of the working face shall be taken of the working face each day that the Compost has been applied. At least four such series of photographs shall be included in the report required by Condition Number 12, above, for the Compost used during the trial period. If the Compost was used for fewer than

four (4) days during the trial period, the owner or operator shall include the photographs, for each day the Compost was used, in the report required by Condition Number 12, above.

14. This authorization to use the Compost as alternative daily cover material at the Facility shall expire one hundred eighty (180) days after its effective date. The owner or operator shall not use the Compost as alternative daily cover material at the Facility after that date, unless the owner or operator requests and receives approval for continued use of the material.
15. 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 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 of Ohio EPA (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. The appeal 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 Compost 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 Compost, 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.

This approval is limited to authorization to use the Compost as alternative daily cover material at the Facility. Ohio EPA recognizes that you have requested an exemption from the requirements to collect and remit solid waste fees for the use of the Compost as alternative daily cover material. That request will be addressed under separate correspondence.

If you have any questions regarding this authorization, please contact Scott Winkler of Ohio EPA, NEDO at (330) 963-1220.

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Sincerely,

Joseph P. Koncelik
Director

JPK/SW/MM/sw

cc: Eric Adams, DSIWM-NEDO
Scott Hester, DSIWM-CO
Kirk Norris, Stark County Health Department