



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

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

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

Dear Mr. Carpenter:

On April 6, 2006, 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 steel slag from Steel Dynamics, Inc. as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Williams County Landfill (Facility) located in Williams County. Specifically, the request was for authorization to continue to use the steel slag 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 December 7, 2005.

OAC Rule 3745-27-19(F)(3)(b) states, "[t]he 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."

In the December 7, 2005, approval, Ohio EPA granted the owner or operator authorization to use steel slag from Steel Dynamics, Inc. 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 steel slag to determine its effectiveness and ability to function as alternative daily cover material. Additionally, as required by the December 7, 2005, authorization, the owner or operator submitted a report to Ohio EPA, NWDO, detailing the performance of the steel slag 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 steel slag functioned effectively as alternative daily cover material at the Facility. Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize the owner or operator to use steel slag 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 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 properties, and consistent with the waste characterization profile included in the October 14, 2005, request.
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.

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7. 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.
8. The use and location of the steel slag 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.
9. 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

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

MR/MM/sw

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