



State of Ohio Environmental Protection Agency

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Mr. Christopher Windnagle, Interim Engineer  
Evergreen Recycling and Disposal Facility  
2625 East Broadway Street  
Northwood, Ohio 43619

**Re: Evergreen Recycling and Disposal Facility, Wood County  
Alternative Daily Cover Material Approval**

Dear Mr. Windnagle:

On July 28 and 31, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received your written requests, dated July 26 and 27, 2006, respectively, for authorization to use DuraShield 12,000 FR woven geotextile fabric 24 mil, 12.0 oz/sq yd; Geotex 315 ST woven geotextile fabric 20 mil, 6.5 oz/sq yd; and DuraShield 10,000 FR woven geotextile fabric 16 mil, 7.5 oz/sq yd (hereinafter individually referred to as Tarp and collectively referred to as Tarps) as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b) at the Evergreen Recycling and Disposal Facility (Facility) located in Wood County.

OAC Rule 3745-27-19(F)(3)(b) states, "The director may approve alternative materials, other than solid waste, and/or 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 has reviewed the information contained in the requests and has determined that the Tarps have the potential to function effectively as alternative daily cover material and provide protection comparable to six (6) inches of soil as required by OAC Rule 3745-27-19(F)(3)(b). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize the use of the aforementioned Tarps as alternative daily cover material at the Facility.

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

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

## CONDITIONS

1. This authorization is limited to the use of DuraShield 12,000 FR woven geotextile fabric 24 mil, 12.0 oz/sq yd; Geotex 315 ST woven geotextile fabric 20 mil, 6.5 oz/sq yd; and DuraShield 10,000 FR woven geotextile fabric 16 mil, 7.5 oz/sq yd (hereinafter individually referred to as Tarp and collectively referred to as Tarps) at the Evergreen Recycling and Disposal 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 one or more of the Tarps listed above 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. Prior to placing the next layer of waste, the Tarps shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.
3. If inclement weather conditions render the placement or use of one or more of the Tarps 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.
4. If the owner or operator determines that one or more of the Tarps 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, NWDO and the Wood County Combined General Health District 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 Tarps ceases on a temporary basis in accordance with Condition Number 3, above.
5. If Ohio EPA or the Wood County Combined General Health District determines that the use of one or more of the Tarps is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the Tarp(s) may be revoked upon written notification from the director of Ohio EPA. Immediately upon such revocation, the owner or operator shall cease using the Tarp(s) 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.

6. The owner or operator shall promptly repair or replace the Tarps if they become frayed, torn, ripped, or otherwise rendered unusable and are, therefore, no longer able to serve their intended purpose.
7. The owner or operator shall not use the Tarps 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 Tarps, 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 Tarps shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.
8. The use and location of the Tarps shall be documented on the required Municipal Solid Waste Landfill Daily Log of Operations, Form 3 on each day a Tarp is used as alternative daily cover material.
9. Any scrap tires used by the owner or operator to secure the alternative daily cover material shall be managed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and the rules promulgated thereunder.
10. Nothing in this letter 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; or 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. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address:

Mr. Christopher Windnagle, Interim Engineer  
Evergreen Recycling and Disposal Facility  
Page 4 of 4

Environmental Review Appeals Commission  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you have any questions regarding this authorization, please contact Kimberly Burnham of Ohio EPA, NWDO at (419) 373-3049.

Sincerely,

Joseph P. Koncelik  
Director

JPK/KB/MM/sw

cc: Kimberly Burnham, DSIWM-NWDO  
Scott Hester, DSIWM-CO  
Jim Konopinski, Wood County Combined General Health District