



State of Ohio Environmental Protection Agency

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

Mr. Ray Lewis, Landfill Manager
Cherokee Run Landfill
2946 U.S. Route 68 North
Bellefontaine, OH 43311

Re: Cherokee Run Landfill, Logan County
Alternative Daily Cover Approval

Dear Mr. Lewis:

On September 9, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Southwest District Office (SWDO), Division of Solid and Infectious Waste Management (DSIWM) received a written request for authorization to use wastewater treatment plant (WWTP) sludge as an alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Cherokee Run Landfill (Facility) located in Bellefontaine, Logan County, Ohio.

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."

Specifically, the owner or operator requested to use wastewater treatment plant sludge generated at the General Motors – Moraine, Ohio plant as ADC material at the Facility. WWTP sludge has been approved to be used as ADC material at other solid waste landfill facilities in Ohio. Based on the performance of the material at these other facilities, and after reviewing the request, Ohio EPA has determined that the WWTP sludge can function effectively as ADC material and provide protection comparable to six inches of soil as required by OAC Rule 3745-27-19(F)(3)(a).

Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(a), I hereby authorize the owner or operator of the Facility to use WWTP sludge from the General Motors Plant - Moraine, Ohio, as an alternative to six inches of soil for daily cover at the Facility. 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 WWTP sludge as specified in Condition Number 2 as alternative daily cover material.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

2. The owner or operator shall use only the WWTP sludge generated at the General Motors Plant - Moraine, Ohio, as ADC material at the Cherokee Run Landfill, as described in the request received by Ohio EPA on September 9, 2008. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.
3. Not later than seven days prior to the initial use of the WWTP sludge as alternative daily cover material at the Facility, the owner or operator shall send written notification of the anticipated start date to Ohio EPA, SWDO and the Logan County Health Department.
4. The owner or operator shall place the WWTP sludge 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 WWTP sludge shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.
5. If inclement weather conditions will render the placement or use of the WWTP sludge 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 ADC material that has been approved for use at the Facility, provided that it is able to perform effectively under the inclement conditions.
6. If the owner or operator determines that the WWTP sludge 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 ADC material that has been approved for use by Ohio EPA at the Facility. The owner or operator shall verbally notify Ohio EPA, SWDO of this action by the end of the next working day and shall submit written notification to Ohio EPA, SWDO not later than fourteen (14) calendar days after the action has been taken. This notification is not necessary if the use of the WWTP sludge ceases on a temporary basis in accordance with Condition Number 5, above.
7. If Ohio EPA determines that the use of the WWTP sludge 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 WWTP sludge as ADC 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 ADC material that has been approved for use at the Facility.
8. The owner or operator shall not use the WWTP sludge 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 WWTP sludge, 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.

9. All stockpiles or storage areas for the WWTP sludge shall be located within the current phase of operation. Any water that comes into contact with the WWTP sludge either during use as alternative daily cover material or during storage shall be directed into the leachate collection system.
10. The use and location of the WWTP sludge shall be documented on the required Municipal Solid Waste Landfill Daily Log of Operations, Form 3 on each day it is used as ADC material. This documentation shall also include a map that shows where and when the WWTP sludge was utilized as ADC material relative to the working face.
11. All appropriate state and local solid waste fees shall be applied to the WWTP sludge, regardless of whether it is temporarily stored, utilized as alternative daily cover material, or disposed of in the working face.
12. Any WWTP sludge 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.
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 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. 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 Environmental Review Appeals Commission at the following address:

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

Mr. Ray Lewis
Cherokee Run Landfill
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If you have any questions regarding this authorization, please contact Mike Joseph of Ohio EPA, SWDO at (937) 285-6047.

Sincerely,

Chris Korleski
Director

CK/KM/sw

cc: Russ Brown, DSIWM, SWDO
Scott Hester, DSIWM-CO
Logan County Health District