



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

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May 2, 2011

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. Steve Lonneman, District Manager
Evergreen Recycling and Disposal Facility
2625 East Broadway
Northwood, Ohio 43619

By: Derek Kessler Date: 5-2-11

**Re: Evergreen Recycling and Disposal Facility, Wood County
Alternative Daily Cover Material Approval for Waste Water Treatment Sludge**

Dear Mr. Lonneman:

On January 31, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) received a written request for authorization to use a waste water treatment sludge as an alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(a) at the Evergreen Recycling and Disposal Facility (Facility) located at 2625 East Broadway, Northwood, in Wood County. The waste water treatment sludge is generated by Chrysler Assembly Complex, located in Toledo, 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 environment. The owner or operator must obtain written approval to use solid waste for alternative daily cover prior to utilizing the solid waste."

Specifically, the owner or operator requested to use waste water treatment sludge generated at the Chrysler Assembly Complex, located in Toledo, Ohio. The sludge was initially sampled on April 27, 2010. On February 24, 2011, representatives from Ohio EPA and the Wood County Health Department visited the Facility to look at a sample of the waste water treatment sludge. Additionally, on March 14, 2011, representatives from Ohio EPA and the Wood County Health Department were present when a load of the waste water treatment sludge was dumped and spread as it would if it were used as a daily cover material. Ohio EPA has reviewed the information contained in the request and has determined that the waste water treatment sludge has 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)(a). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(a), I hereby authorize the use of the waste water treatment sludge from Chrysler Assembly Complex as alternative daily cover material at the Facility.

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 the waste water treatment sludge only from Chrysler Assembly Complex, located in Toledo, Ohio. The material must be of similar chemical composition, similar physical properties, and consistent with the waste characterization profile (#A0D280563) submitted to Ohio EPA on January 31, 2011. 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 the waste water treatment sludge or waste water treatment sludge in combination with conventional soil cover 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. The waste water treatment sludge or waste water treatment sludge in combination with conventional soil cover shall be placed no less than six (6) inches thick. Prior to placing the next layer of waste, the waste water treatment sludge 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 will render the placement or use of the waste water treatment 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 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 the waste water treatment 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 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 within fourteen (14) calendar days. This notification is not necessary if the use of the waste water treatment sludge ceases on a temporary

basis in accordance with Condition Number 3, above.

5. If Ohio EPA determines that the use of the waste water treatment sludge is ineffective or 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 to use the waste water treatment sludge 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. All stockpiles or storage areas for the waste water treatment sludge shall be located within the current limits of solid waste placement. Any water that comes into contact with the waste water treatment sludge, either during use as alternative daily cover material or during storage, shall be directed into the leachate collection system.
7. The waste water treatment sludge shall not be used as intermediate or final cover.
8. The use and location of the waste water treatment sludge 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. This document shall also include a map that shows where and when the waste water treatment sludge was utilized as alternative daily cover relative to the working face.
9. Appropriate state and local waste fees shall be applied to the waste water treatment sludge whether it is used as daily cover or is disposed at the working face.
10. The waste water treatment sludge shall be counted against the Facility's authorized maximum daily waste receipt of 7,500 tons.
11. The waste water treatment sludge shall be utilized only on internal slopes where surface water that may contact the waste water treatment sludge will be contained within the confines of the leachate collection system.
12. 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 letter shall not be interpreted to release the owner or operator of Evergreen Recycling and Disposal Facility from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Mr. Steve Lonneman
Page 4 of 4

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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

If you have any questions concerning this letter, please contact Brent M. Goetz of Ohio EPA, NWDO at (419) 373-4114.

Sincerely,



Scott J. Nally, Director

pc: Brent M. Goetz, DMWM, NWDO
Andy Drumm, DMWM, NWDO
Scott Hester, DMWM, CO
Kristin Tillison, Wood County Health Department
Dennis Recker, City of Northwood