Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

December 22, 2011

RE: JEFFERSON COUNTY APEX SANITARY LANDFILL ENG

Apex Environmental, LLC
Attention: Mr. Dave Matthews, General Manager
P.O. Box 157
Amsterdam, OH 43903

Subject: PTI Application No. 06-08448

Dear Mr. Matthews:

On October 28, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Southeast District Office (SEDO), received Apex Environmental, LLC's Permit-to-Install (PTI) Application for a proposed contiguous lateral and vertical expansion of its waste disposal area and an increase of the Authorized Maximum Daily Waste Receipt (AMDWR) tonnage for the Apex Sanitary Landfill in Jefferson County, Ohio. The PTI application proposes to expand the AMDWR from 7,500 tons/day to 10,000 tons/day of waste received, to expand the authorized waste disposal volume from approximately 22.5 million cubic yards to 83.5 million cubic yards, and to expand the authorized landfill waste disposal area from 117.5 acres to 288.5 acres. Ohio EPA has assigned PTI No. 06-08448 to the submission.

As you know, Ohio EPA recently entered into enforcement settlement negotiations with Apex to address significant violations caused by the current operations at the Apex Landfill. The enforcement case included violations for the failure to strictly control offensive landfill odors that impact the community surrounding Apex Landfill as required by the Ohio Administrative Code Rule 3745-27-19(B)(3). It also included violations for failing to implement all appropriate odor monitoring practices, best management practices and control systems in order to control and abate odors as required by the Odor Management Plan contained in the facility's Dec. 31, 2009, Permit To Install Number 06-08438.

Given the significant operational and design revisions that will need to be undertaken for the proposed PTI application to adequately address strict control of odors, Ohio EPA SEDO will not continue our review of this application until odors from the facility have been abated for an extended period of time and Apex has updated the proposed PTI application to include appropriate and adequate odor control measures and operational practices

I may be reached at (740) 380-5441 if you have any questions.

Sincerely,

Richard Fox, RS
Supervisor
Division of Materials and Waste Management

RF/jg

cc: Jefferson County Health Department
cc: Carl Mussenden, DMWM/CO
cc: Civil Engineering Consultants, Inc.
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