



State of Ohio Environmental Protection Agency

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MAR 26 2002

OHIO E.P.A.
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ENTERED DIRECTOR'S JOURNAL

Preble County Board of Commissioners
Preble County Court House
101 East Main Street
Eaton, Ohio 45320

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

Dear Commissioners:

On January 18, 2002, the Division of Solid and Infectious Waste Management (DSIWM) at Ohio EPA, Southwest District Office (SWDO) received your written request for authorization to use alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Preble County Landfill (Facility) in Preble County.

OAC Rule 3745-27-19(F)(3) states, "The director may approve alternative materials and/or thickness for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the alternative material and/or thickness provides comparable protection and is protective of human health and the environment."

In your written correspondence dated January 18, 2002, you requested permission to use YEADON as alternative daily cover material at the Facility. Although this material has not been approved for use as alternative daily cover material in Ohio, Ohio EPA recognizes that YEADON has the potential to provide protection comparable to six inches of soil as required by OAC Rule 3745-27-19(F). Therefore, pursuant to OAC Rule 3745-27-19(F)(3), I hereby authorize Preble County Landfill to use YEADON as an alternative to six inches of soil for daily cover at the Facility for a trial period to end one hundred eighty (180) days from the effective date of this authorization. This temporary approval is granted with the following conditions:

- 1 This authorization is limited to the use of only YEADON. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency.
Zona L. Clement 3.26.02

Bob Taft, Governor
Maureen C'Connor, Lieutenant Governor
Christopher Jones, Director

2. Preble County Landfill shall place YEADON 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.
3. If inclement weather conditions will render the placement or use of YEADON ineffective or otherwise unsatisfactory, the Preble County Landfill 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, Preble County Landfill 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 Preble County Landfill determines that YEADON is ineffective or otherwise unsatisfactory under normal operating conditions, Preble County Landfill shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Preble County Landfill may apply another alternative daily cover material that has been approved for use at the Facility. Preble County Landfill shall verbally notify Ohio EPA, SWDO and the Preble County Health District of this action by the end of the next working day and shall submit written notification to Ohio EPA, SWDO within fourteen (14) calendar days. This notification is not necessary if the use of YEADON ceases on a temporary basis in accordance with Condition No. 3.
5. If Ohio EPA or the Preble County Health District determines that the use of YEADON is ineffective or unsatisfactory under normal operating conditions, then permission to use YEADON may be revoked upon written notification from the Director of Environmental Protection. Immediately upon such revocation, Preble County Landfill shall cease to use YEADON 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, Preble County Landfill may apply another alternative daily cover material that has been approved for use at the Facility.
6. Preble County Landfill shall not have more than 35,000 square feet of waste covered with alternative daily cover material at any one time. This maximum area applies to the use of YEADON by itself or in combination with other alternative daily cover materials that the Director has authorized to be used at the Facility.
7. Preble County Landfill shall promptly repair or replace the alternative daily cover material if it becomes frayed, torn, ripped, or otherwise rendered unuseable and is, therefore, no longer able to serve its intended purpose.

8. YEADON 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 which has been covered with YEADON shall be covered with at least six inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day.
9. Any scrap tires used at the Facility to secure the alternative daily cover material shall be managed in accordance with Chapter 3734 of the Ohio Revised Code and the rules promulgated thereunder.
10. Not later than one hundred twenty (120) days after the effective date of this authorization, Preble County Landfill shall submit to Ohio EPA, SWDO a report comparing the effectiveness of YEADON to conventional soil cover and other alternative daily cover materials that have been used at the Facility. If, as provided in Condition No. 4 or 5, Preble County Landfill ceases to use YEADON prior to the end of the one hundred eighty (180) day trial period, then the report shall be due not later than thirty (30) days after use ceases. In either situation, the report shall contain a discussion of the following items:
 - Number of days the material was used
 - Weather conditions at the time placement of the material was evaluated for effectiveness as daily cover
 - Number of days odors were detected
 - Presence of vectors, rodents, and insects
 - Any increase in blowing litter
 - Method(s) for controlling fire during use of alternative daily cover material
11. Photographs from at least two opposing sides of the working face shall be taken of the working face after YEADON has been applied. At least four (4) such series of photographs shall be taken within the 180 day trial period. These photographs shall be included in the report required by Condition No. 10.
12. This authorization to use YEADON will expire one hundred eighty (180) days after the effective date of this authorization. Preble County Landfill may not use YEADON as alternative daily cover after that date unless authorization for continued use has been provided by Ohio EPA.

END OF CONDITIONS

Nothing in this authorization shall be construed to authorize any waiver from the requirements of any applicable federal or state solid waste laws or regulations. This letter shall not be interpreted to release Preble County Landfill from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code; 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.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code 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. A copy of the appeal shall 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
236 East Town Street, Room 300
Columbus, Ohio 43215

In the event that the owner or operator of Preble County Landfill finds YEADON to be acceptable and wishes to obtain approval for continued use, authorization for on-going use of YEADON after the one hundred eighty (180) day trial period is required. In order to avoid temporary discontinuance of the use of YEADON, Ohio EPA recommends that a request for continued authorization be submitted at least forty-five (45) days prior to the end of the trial period.

If you have any questions regarding this authorization, please contact Russ Brown of Ohio EPA SWDO at (937) 285-6649.

Sincerely,



Christopher Jones, Director

cc: Cheryl Allen, DSIWM-SWDO
Scott Hester, DSIWM-CO
Gary Walker, Preble County Health District

CJ/sdj