



State of Ohio Environmental Protection Agency

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MAR 15 2002

ENTERED DIRECTOR'S JOURNAL

MAR 15 2002

Mr. Freeman Mullet
Mt. Eaton Reclamation, Inc.
P.O. Box 256
Mt. Eaton, Ohio 44659

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.

By: Zena K. Clements Date: 3-15-02

Re: **Mt. Eaton Landfill, Wayne County
Alternative Daily Cover Approval**

Dear Mr. Mullet:

On October 9, 2001, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received your request for authorization to use an alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Mt. Eaton Landfill (Facility) in Wayne County.

OAC 3745-27-19(F)(3) states, "The director may approve alternative materials and/or thicknesses 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 October 4, 2001, you requested permission to use one or more of the following materials as alternative daily cover material at the Facility.

- Beltech woven polypropylene geosynthetic geotextile
- Amcon woven geotextiles or woven coated polypropylene geosynthetic
- Airspace Saver high density woven polyethylene coated fabric with polyester straps
- Exxon geotextile (3601)
- Fabrene high tensile strength lightweight woven polyethylene
- GeoCover geotextile (601)
- GSE high-density polyethylene geomembrane

I have determined that the use of the materials listed above as an alternative form of daily cover has the potential to provide protection comparable to daily soil cover. Therefore, pursuant to OAC Rule 3745-27-19(F)(3), I approve the use of the materials listed above

as alternative daily cover for a trial period of 180 days from the effective date of this authorization. This temporary approval is granted subject to the following conditions:

1. This authorization is limited to the use of one or more of the materials listed above. No other alternative daily cover materials may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall place one or more of the materials listed above over exposed waste materials by the end of the working day, or more frequently if necessary, to control fire hazards, blowing litter, odor, dust, insects, and rodents.
3. If inclement weather conditions will render the placement or use of one or more of the materials listed above ineffective or otherwise unsatisfactory, the owner or operator shall temporarily revert to using conventional soil cover in accordance with
 - **OAC 3745-27-19(F)** until such conditions cease to exist. Under such circumstances, the owner/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 materials listed above 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 3745-27-19(F). The owner or operator shall immediately notify Ohio EPA, NED0 of this action through both verbal and written communication. This notification is not necessary if use of the synthetic cover material ceases only on a temporary basis in accordance with Condition No. 3. Under such circumstances, the owner/operator may apply another alternative daily cover material that has been approved for use by Ohio **EPA** at the Facility.
5. If Ohio EPA or the Wayne County Health Department determines that the use of one or more of the materials listed above 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 material(s) subject to the revocation 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/operator may apply another alternative daily cover material that has been approved for use at the Facility.
6. The owner or operator shall not utilize more than 6,400 square feet of alternative daily cover at any one time. This maximum includes all forms of alternative daily cover that are in use at any one time.

7. The owner or operator 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.
 - a. The materials listed above shall not be used as, intermediate or final cover. Any solid waste disposal area that remains inactive for a period of seven days and which has been covered with one or more of the materials listed above 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 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 and the rules promulgated thereunder.
10. Not later than one hundred twenty (120) days after the effective date of this authorization, the owner or operator shall submit to Ohio EPA a report comparing the effectiveness of the materials listed above to the use of conventional soil cover at the Facility. If, as provided in Condition No. 4 or 5, the owner or operator ceased to use all of the materials listed above 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:
 - a. number of days the material was used
 - b. weather conditions at the time placement of the material was evaluated for effectiveness as daily cover
 - c. number of days odors were detected
 - d. presence of vectors, rodents, and insects
 - e. any increase in blowing litter
 - f. 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 any of the materials listed above has been applied. At least four 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 any of the materials listed above will expire one hundred eighty (180) days after the effective date of this authorization. The owner or operator may not use any of the materials listed above as daily cover after that date unless authorization for continued use has been provided,
13. Nothing in this letter 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 the entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code; under the Federal Clean Water Act or Comprehensive Environmental Response, Compensation, and Liability Acts; 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 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. Notice of the filing of the appeal shall be filed with the director within three (3) days after the appeal is filed with the Commission. An appeal may be filed with the Commission at the following address:

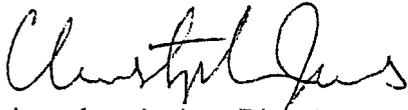
Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

In the event that the owner or operator finds any of the materials listed above to be acceptable and wishes to obtain approval for continued use, authorization for on-going use of this material after the one hundred eighty (180) day trial period is required. In order to avoid temporary discontinuance of the use of the materials listed above, 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.

Mt. Eaton Landfill, Wayne County
Alternate Daily Cover Approval
Page 5 of 5

If you have any questions regarding this authorization, please contact Katharina Snyder of Ohio EPA NEDO at (330)963-1257.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Jones". The signature is fluid and cursive, with the first name being more prominent.

Christopher Jones, Director

cc: Katharina Snyder, DSIWM, NEDO
Eric Adams, DSIWM, **NEDO**
Virginia Wilson, DSIWM, NEDO
Steve Rich, Wayne County HD
File: [LAND/MT.EATON/AUT/85]