



State of Ohio Environmental Protection Agency

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SEP 24 2002

Mr. Michael Porath
Compliance Manager
3415 Township Rd. 447
Glenford, Ohio 43739

OHIOE.P.A.
SEP 24 20
ENTERED DIRECTOR'S JOURNAL

RE: **Suburban South Recycling and Disposal Facility (RDF), Perry County
Alternative Daily Cover Approval**

Dear Mr. Porath:

By letter dated March 15, 2002, I granted authorization to Suburban Landfill, Inc. (SLI) to use TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material as alternative daily cover (ADC) material for a 180-day trial period at the Suburban South RDF (Facility) located in Perry County. On July 12, 2002, Ohio Environmental Protection Agency (Ohio EPA), Southeast District Office (SEDO) received a report from SLI outlining the performance of TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material as ADC material at the Facility. By letter dated July 15, 2002, Ohio EPA, SEDO received a request to use TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material as ADC material on an on-going basis at the Facility.

OAC Rule 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."

Based on the results of Ohio EPA's and the Perry County Health Department's monitoring and the information contained in the report discussed in the aforementioned paragraph, Ohio EPA has determined that TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material functioned effectively as ADC material and provided protection comparable to conventional soil cover. Therefore, pursuant to OAC Rule 3745-27-19(F)(3), I hereby authorize SLI to use TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material as ADC on an on-going basis at the Suburban South RDF.

This authorization is subject to the following conditions:

1. This authorization is limited to the use of only TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material at the Facility. No other alternative daily cover material may be used at the landfill without prior authorization from Ohio EPA.

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

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

Donna J. Clement 9/24/02

2. SLI shall place TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material 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 TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material ineffective or otherwise unsatisfactory, SLI 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, SLI 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.
4. If SLI determines TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material to be ineffective or otherwise unsatisfactory under normal operating conditions, SLI shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, SLI may apply another ADC material that has been approved for use at the Facility. SLI shall verbally notify Ohio EPA, SEDO and the Perry County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA within fourteen (14) calendar days. This notification is not necessary if the use of TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material ceases on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA determines that the use of TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material is ineffective or unsatisfactory under normal operating conditions, then permission to use TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material may be revoked upon written notification from the Director of Environmental Protection. Immediately upon such revocation, SLI shall cease use of TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material at the facility and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, SLI may apply another ADC material that has been approved for use at the facility.
6. SLI shall not have more than 157,500 ft² (seven 150ft x 150ft panels) of ADC material deployed at any one time. This maximum area applies to the use of TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material by itself or in combination with other alternative daily cover materials that the director has authorized to be used at SLI.

7. SLI shall promptly replace or repair the ADC material if it becomes frayed, torn, ripped or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
8. TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material shall not be used as intermediate or final cover. Any solid waste disposal area that remains inactive for a period of thirty (30) days, and has been covered with TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material, shall be covered with at least six inches of soil in accordance with OAC: Rule 3745-27-19(F) by the end of thirtieth (30th)day.
9. Any scrap tires used by SLI to secure the ADC material must be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the rules promulgated thereunder.
10. The use and location of TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material shall be documented on the Municipal Solid Waste Disposal Facility Daily Log of Operations, Form 3. This documentation shall also include a map that shows where TNS W300 woven geotextile with TC Mirafi HP 570 reinforcement material was utilized as ADC relative to the working face.
11. 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/operator 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 Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must 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

Suburban South RDF, Perry County
Alternative Daily Cover Approval
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If you have any questions regarding this authorization, please contact Dale Warner of Ohio EPA, SEDO at (740) 380-5435.

Sincerely,

A handwritten signature in black ink that reads "Christopher Jones". The signature is written in a cursive style with a large, prominent "C" and "J".

Christopher Jones
Director

cc: Tuscarawas County Health Department
Steve Rine, DSIWM-SEDO
Scott Hester, DSIWM-CO ✓

CJ/jg