



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614)644-3020 FAX: (614) 644-3184

MAILING ADDRESS:

P.O.Box 1049
Columbus, OH 43216-1049

OCT 14 2003

Evan Jahn
USA Waste Geneva Landfill, Inc.
4339 Tuttle Road
Geneva, Ohio 44041

Copy of the
10-14-03
Jonya Jackson

OHIO EPA
OCT 14 2003
JOURNAL

Re: Geneva Landfill, Ashtabula County
Temporary Approval for an Alternative Daily Cover

Dear Mr. Jahn:

On August 14, 2003, the Ohio Environmental Protection Agency (Ohio EPA) received a request to use DuraShield 10,000 FR and DuraShield 12,000 FR as alternative daily cover materials at the Geneva Landfill (Facility) located in Ashtabula County. DuraShield 10,000 FR and DuraShield 12,000 FR are industrial fabrics made of woven reinforced 4-ply polyethylene. The request was made in accordance with paragraph (F)(3)(b) of Ohio Administrative Code (OAC) Rule 3745-27-19.

Paragraph (F)(3)(b) of OAC Rule 3745-27-19 states that the director may approve alternative materials and/or thicknesses for daily cover if the owner or operator can demonstrate to the director's satisfaction that the alternative material and/or thickness provides protection comparable to six inches of soil and is protective of human health and the environment.

Based on the information submitted, I have determined that these industrial fabrics have the potential to provide protection comparable to six inches of soil and have the potential to be protective of human health and the environment. Therefore, I hereby approve the use of DuraShield 10,000 FR and DuraShield 12,000 as alternative daily cover at the Facility for a trial period of 180 days. As part of this approval, the owner or operator is subject to the following conditions:

1. This approval is limited to the use of only DuraShield 10,000 FR and DuraShield 12,000 FR at the Facility. No other alternative daily cover materials may be used at the Facility without prior authorization from Ohio EPA.
2. This approval shall expire 180 days after its effective date. The owner or operator shall not use DuraShield 10,000 FR and DuraShield 12,000 FR as alternative daily cover at the Facility after that date unless the owner or operator requests, and receives approval, for continued use of the materials.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

3. The owner or operator shall place DuraShield 10,000 FR and/or DuraShield 12,000 FR 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.
4. If inclement weather conditions render the placement or use of DuraShield 10,000 FR or DuraShield 12,000 FR ineffective or otherwise unsatisfactory, the owner or operator shall temporarily revert to using conventional soil cover in accordance with paragraph (F) of OAC Rule 3745-27-19 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 Facility, provided that the material is able to perform effectively under the inclement conditions.
5. If the owner or operator determines that DuraShield 10,000 FR or DuraShield 12,000 FR is ineffective or otherwise unsatisfactory under normal operating conditions, the owner or operator shall immediately revert to using conventional soil cover in accordance with paragraph (F) of OAC Rule 3745-27-19. Under such circumstances, the owner or operator may apply another alternative daily cover material that has been approved for use at Facility. The owner or operator shall verbally notify Ohio EPA, Northeast District Office (NEDO) and the Ashtabula County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, NEDO within 14 calendar days. This notification is not necessary if use of DuraShield 10,000 FR or DuraShield 12,000 FR ceases only on a temporary basis in accordance with Condition Number 4, above.
6. If Ohio EPA determines that the use of DuraShield 10,000 FR or DuraShield 12,000 FR is ineffective or unsatisfactory under normal operating conditions, then authorization to use the material may be revoked upon written notification from the director. Upon such revocation, the owner or operator shall immediately cease to use DuraShield 10,000 FR or DuraShield 12,000 FR as alternative cover material at the Facility and shall revert to using conventional soil cover in accordance with paragraph (F) of OAC Rule 3745-27-19. Under such circumstances, the owner or operator may apply another alternative daily cover material that has been approved for use at the Facility.
7. The owner or operator shall promptly repair or replace DuraShield 10,000 FR or DuraShield 12,000 FR if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.

8. DuraShield 10,000 FR and DuraShield 12,000 FR shall not be used as intermediate, transitional, or final cover. Any solid waste disposal area which remains inactive for a period of seven days and is covered with either DuraShield 10,000 FR or DuraShield 12,000 FR shall be covered with at least six inches of soil in accordance with paragraph (F) of OAC Rule 3745-27-19 by the end of the seventh day.
 9. Any scrap tires used by the owner or operator to secure either DuraShield 10,000 FR or DuraShield 12,000 FR shall be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the rules promulgated thereunder and shall be used in compliance with paragraph (D) of OAC Rule 3745-27-78.
 10. Within 120 days from the effective date of this approval, the owner or operator shall submit to Ohio EPA, NEDO a report comparing the effectiveness of DuraShield 10,000 FR and DuraShield 12,000 FR to conventional soil cover and to other alternative daily cover materials that may have been used at the Facility. If, as provided in Condition Number 5 or 6, above, the owner or operator ceases to use DuraShield 10,000 FR and DuraShield 12,000 FR prior to the end of the 180-day trial period, then the report shall be submitted no later than 30 days after use of the materials ceases. In either situation, the report shall contain, at a minimum, a discussion of all the following items for each of the materials:
 - 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 that odors were detected;
 - Presence of vectors, rodents, and insects;
 - Any increase in blowing litter; and
 - Method(s) for controlling fire during use of the alternative daily cover material.
- ■ Photographs from at least two opposing sides of the working face shall be taken of the working face after DuraShield 10,000 FR and DuraShield 12,000 FR industrial fabric have been applied. At least four such series of photographs shall be taken during the 180-day trial period. These photographs shall be included in the report required by Condition Number 10, above.

Nothing in this approval shall be construed to authorize any waiver from the requirements of any applicable federal or state solid waste laws or regulations. This approval shall not be interpreted to release the owner or operator from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act or Comprehensive Environmental Response, Compensation, and Liability Act; or from

other requirements for remediating conditions resulting from any release of contaminants to the environment.

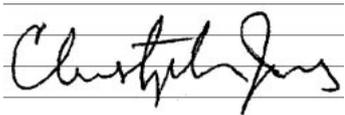
You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the commission within 30 days after the notice of the director's action. A copy of the appeal must be served on the director within three days of filing with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

In the event that the owner or operator finds DuraShield 10,000 FR and/or DuraShield 12,000 FR to be acceptable and wishes to continue to use the materials as alternative daily cover at the Facility beyond the 180-day trial period, the owner or operator must receive approval for on-going use of these materials. To avoid having to temporarily discontinue the use of the materials, Ohio EPA recommends that the owner or operator submit a request for approval at least 45 days prior to the end of the 180-day trial period.

If you have any questions regarding this approval, please contact Colum McKenna of Ohio EPA Northeast District Office at (330) 963-1268.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Jnnes", is written over a horizontal line.

Christopher Jnnes
Director

cc: **Lynn Sowers**, DSIWM, NEDO
Scott Hester, DSIWM, CO
Raymond Saporito, Ashtabula County Health Department
File: [LAND/Geneva Landfill/COR/04]