



State of Ohio Environmental Protection Agency

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**MAILING ADDRESS:**

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

Michael Heher, Facility Manager  
Carbon Limestone Landfill, LLC  
8100 Stateline Road  
Lowellville, OH 44436

**Re: Carbon Limestone Landfill, Mahoning County  
Ohio Administrative Code (OAC) Rule 3745-27-19(E)(7)(e) Approval**

Dear Mr. Heher:

On August 11, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO), received an August 6, 2008 request, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-19(E)(7)(e), to store specific wastes received for utilization in solidification basins at the Carbon Limestone Landfill (Facility). A revision to the request, dated September 16, 2008, was received on September 19, 2008. The request and subsequent revision were prepared by Carbon Limestone Landfill, LLC (CLL). The Facility is currently owned and operated by CLL, a subsidiary of Allied Waste Services, Inc.

Specifically, CLL requested an alternate method of waste acceptance for kiln dust, saw dust, bag house dust, and other absorbent materials designated for use as solidification basin admixture materials in existing and proposed on-site solidification basins. Admixture materials will be stored in the vicinity of the solidification basins. Berms will be constructed around the admixture stockpile and the solidification basin to segregate water outside of the berm as surface water and water collected inside the berm as leachate. At the end of each day, the admixture material will be tarpred for storage or placed at the working face for disposal. The admixture stockpile will be tarpred during inclement weather and when not in use. In the event that the admixture material stockpile becomes wet and is no longer effective in solidifying the liquid waste, the stockpile will be placed in the working face and new admixture material will be brought for use in the solidification basins.

OAC Rule 3745-27-19(E)(7)(e) states, in part, that "... the owner or operator shall ensure that all waste admitted to the sanitary landfill facility is deposited at the working face, spread in layers not more than two feet thick, and compacted to the smallest practical volume. An alternate method may be used if approved in writing by the director."

Ohio EPA has reviewed the August 6, 2008 request, as revised through September 16, 2008, for alternate waste acceptance to ensure compliance with PTI Nos. 02-4365 and 02-10937, as well as other authorizing documents, and all applicable regulations contained within OAC Chapter 3745-27.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Pursuant to OAC Rule 3745-27-19(E)(7)(e), you are hereby authorized to accept kiln dust, saw dust, bag house dust, and other absorbent materials designated for use as solidification basin admixture materials in existing and proposed on-site solidification basins in the manner proposed in your August 6, 2008 request, as revised through September 16, 2008.

As part of this approval, the owner or operator is subject to the following conditions:

### **CONDITIONS**

1. This approval only authorizes the owner or operator to temporarily store nonhazardous kiln dust, bag house dust, and saw dust wastes specified in the August 6, 2008 request, as modified through September 16, 2008, admixture/bulking agent for the solidification processes at the Facility. No other solid wastes may be stored at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall store the solid waste proposed for use as admixture/bulking agent at the Facility only in designated areas and in the manner specified in the request.
3. The owner or operator shall cover the admixture/bulking agent stockpile with a tarp or other impermeable covering when not in use to reduce the production of leachate.
4. Any liquid that comes into contact with the admixture/bulking agent outside of the solidification basin, either during use as a solidification material or during storage, shall be directed into the leachate collection system.
5. If inclement weather conditions render the use of the admixture/bulking agent ineffective or otherwise unsatisfactory as solidification material, the owner or operator shall discontinue the solidification operations and tarp the admixture material or dispose the material in the working face of the Facility in accordance with OAC Rule 3745-27-19(E)(7) until such conditions cease to exist.
6. If the owner or operator determines that the solid waste used as admixture/bulking agent is ineffective or otherwise unsatisfactory as solidification material under normal operating conditions, the owner or operator shall immediately cease the use of such materials and dispose of any stockpiles of the materials at the working face at the Facility in accordance with OAC Rule 3745-27-19(E)(7). Under such circumstances, the owner or operator may utilize another solid waste as a bulking agent/admixture that has been approved for use at this Facility by Ohio EPA. In addition, the owner or operator shall immediately cease temporary storage of the solid waste and dispose of any remaining stockpile. The owner or operator shall verbally notify Ohio EPA, NEDO and the Mahoning County Board of Health of the determination of unsuitability by the end of the next working day and shall submit written notification to Ohio EPA, NEDO and the Mahoning County Board of Health not later than fourteen (14) calendar days after the action has been undertaken. This notification is not necessary if use of the admixture/bulking agent ceases only on a temporary basis in accordance with Condition Number 5, above.

7. If Ohio EPA determines that the use of the solid waste as a bulking agent/admixture is ineffective or otherwise unsatisfactory for solidification under normal operating conditions, then permission to use or temporarily store the material may be revoked upon written notification from Ohio EPA. Immediately upon such revocation, the owner or operator shall cease the use of the solid waste as a solidification bulking agent/admixture at the Facility and dispose of the solid waste at the working face in accordance with OAC Rule 3745-27-19(E)(7).
8. Any solid wastes brought to the Facility for temporary storage, disposal, or use as solidification bulking agent/admixture material shall be counted toward the Facility's authorized maximum daily waste receipt.
9. Appropriate state and local solid waste fees shall be applied to any solid wastes used as solidification bulking agent/admixture, regardless of whether it is temporarily stored, utilized as bulking agent/admixture material, or disposed of in the working face.
10. The owner/operator shall maintain a log of the date, type, and quantity of solid waste used as admixture/bulking agent; and date, volume, type, and quantity of wastes solidified. The log shall be made available for inspection upon request of the Ohio EPA or the Mahoning county Board of Health.
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 or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the 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 Ohio EPA (Director) 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. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

**Michael Heher, Division Manager**  
**Carbon Limestone Landfill, LLC**  
**Page 4 of 4**

If you have any questions concerning this document, you may contact John Schmidt of Ohio EPA, NEDO at (330) 963-1175.

Sincerely,

Chris Korleski  
Director

Attachments: August 6, 2008 OAC 3745-27-19(E)(7)(e) request  
September 16, 2008 OAC 3745-27-19(E)(7)(e) amended request

pc: Kurt Prinic, DSIWM-NEDO  
Scott Hester, DSIWM-CO