



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

**APRIL 18, 2019**

Mr. Larry G. Riddle  
Landfill Manager  
Rumpke Sanitary Landfill, Inc.  
3990 Generation Drive  
Cincinnati, Ohio 45251

Re: Rumpke Sanitary Landfill  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Hamilton County  
MSWL018791

**Subject: Rumpke Sanitary Landfill, Hamilton County  
Alternative Daily Cover Material Approval**

Dear Mr. Riddle:

Ohio EPA APR 18 '19  
Entered Directors Journal

On February 27, 2019, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a written request for authorization to use compost product and mulch as alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(a) at Rumpke Sanitary Landfill (Facility) in Hamilton County. Rumpke Sanitary Landfill, Inc. is the current owner of the Facility.

OAC Rule 3745-27-19(F)(3)(a) states, "The director may approve solid waste to be used as alternative material for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the solid waste material proposed for use can provide protection comparable to six inches of soil and is protective of human health and the environment. The owner or operator must obtain written approval to use solid waste for alternative daily cover prior to utilizing the solid waste."

Ohio EPA has reviewed the information contained in the request and has determined that the compost product and mulch has the properties to provide protection comparable to six (6) inches of soil as required by OAC Rule 3745-27-19(F). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(a), I hereby authorize Rumpke Sanitary Landfill, Inc. to use compost product and mulch as an alternative daily cover material at the Facility.

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

#### **CONDITIONS**

1. This approval is limited to the use of only compost product and mulch at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall place an eight (8) to ten (10)-inch thick layer of compost product and mulch over exposed waste materials by the end of each working day, or

more frequently if necessary, to control fire hazards, blowing litter, odors, dust, insects, birds, rodents, or other vectors. Compost product and mulch shall be applied such that all solid waste is completely covered. Prior to placing the next layer of waste, compost product and mulch shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.

3. If inclement weather conditions render the placement or use of compost product and mulch ineffective or otherwise unsatisfactory, the owner or operator 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, Rumpke Sanitary Landfill, Inc. may apply another ADC material that has been approved for use at the Facility, provided that the ADC material is able to perform effectively under the inclement conditions.
4. If Rumpke Sanitary Landfill, Inc. determines compost product and mulch is ineffective or otherwise unsatisfactory under normal operating conditions, Rumpke Sanitary Landfill, Inc. shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Rumpke Sanitary Landfill, Inc. may apply another ADC material that has been approved for use at the Facility. Rumpke Sanitary Landfill, Inc. shall verbally notify Ohio EPA, DMWM, SWDO and Hamilton County Public Health of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, SWDO within fourteen (14) calendar days. This notification is not necessary if use of compost product and mulch ceases only on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA or Hamilton County Public Health determines that the use of compost product and mulch is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use compost product and mulch may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, Rumpke Sanitary Landfill, Inc. shall cease using compost product and mulch as ADC material at the Facility and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Rumpke Sanitary Landfill, Inc. may apply another ADC material that has been approved for use at the Facility.
6. Compost product and mulch shall not be used as intermediate or final cover at the Facility. Any solid waste disposal area that remains inactive for a period of seven (7) days and which has been covered with compost product and mulch shall be covered with at least six (6) inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day.
7. Rumpke Sanitary Landfill, Inc. shall promptly reapply compost product and mulch if waste becomes exposed.
8. The use and location of compost product and mulch shall be documented in the required Municipal Solid Waste Landfill Daily Log of Operations, Form 2 on each day it is used as ADC material.

9. Compost product and mulch shall be utilized only on internal slopes where surface water that may contact compost product and mulch will be contained within the confines of the leachate collection system.
10. The compost product and mulch shall be counted against the Facility's authorized maximum daily waste receipt.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This letter 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, the Resource Conservation and Recovery 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 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. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Dylan Dyer of Ohio EPA, SWDO at (937) 285-6048.

Sincerely,

  
Laurie A. Stevenson  
Director

cc: Tracy Buchanan, DMWM, SWDO  
Jeremy Carrol, DMWM, CO  
Chuck DeJonckheere, Hamilton County Public Health