



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

**JUL 18 2019**

Tunnell Hill Reclamation, LLC  
Attn: Rod Deeds, General Manager  
P.O. Box 625  
New Lexington, OH 43764

Re: Tunnell Hill Reclamation, LLC  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Perry County  
MSWL018748

**Subject: Tunnell Hill Reclamation, Perry County  
Alternative Daily Cover Material, Approval**

Dear Mr. Deeds:

Ohio EPA JUL 18 '19  
Entered Directors Journal

On May 21, 2019, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a letter from Tunnell Hill Reclamation, LLC (THR) requesting to expand the maximum area of deployed geotextile-based Alternative Daily Cover (ADC) at Tunnell Hill Reclamation (Facility) from 30,000 square feet to 50,000 square feet to adequately cover two working faces. The ADC deployed to the second working face shall be no greater than 10,000 square feet. Within a separate letter, THR has requested to use two working faces to address safety concerns which will be addressed within a second Director's Authorization.

Permit-to-Install No. 06-07741, issued August 8, 2006, originally authorized THR to use one or more of six specific geotextile-based ADC tarps in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b) at the Facility. The ADC's maximum area deployed was established at 30,000 square feet. Each tarp is approximately 10,000 square feet.

The original geotextile-based ADCs included the following: Industrial Synthetic 3000ST; TNS W300 Woven Geotextile; DuraShield 10,000FR and/or 12,000 FR; WP1440FR by Cormier Textile Products; Proguard SB; and, Integra 12 FR.

OAC Rule 3745-27-19(F)(3)(b) states, "The director may approve alternative materials, other than solid waste, 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 protection that is 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 an alternative material and/or thickness for daily cover prior to utilizing the alternative material and/or thickness."

Ohio EPA has reviewed the information contained in the letter received May 21, 2019 and has determined that expanding the maximum area of deployed ADC shall 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)(b), I hereby authorize THR to expand the maximum area of the deployed ADC.

As part of this approval, THR is subject to the following conditions:

### **CONDITIONS**

1. This approval is limited to the use of the original six geotextile-based tarps authorized by PTI No. 06-07741. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. THR shall place one or more of the tarps 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. A tarp shall be secured on all four (4) sides by weights or other means necessary to ensure it remains in place. Prior to placing the next layer of waste, the tarp shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.
3. Any scrap tires used by the owner or operator to secure the tarps shall be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the rules promulgated thereunder.
4. If inclement weather conditions render the placement or use of one or more of the tarps ineffective or otherwise unsatisfactory, the THR shall temporarily revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F) until such conditions cease to exist.
5. If THR determines that a tarp is ineffective or otherwise unsatisfactory under normal operating conditions, THR shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). THR shall verbally notify Ohio EPA, DMWM, SEDO and Perry County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, SEDO and Perry County Health Department within fourteen (14) calendar days. This notification is not necessary if use of a tarp ceases only on a temporary basis in accordance with Condition Number 4.
6. If Ohio EPA or Perry County Health Department determines that the use of a tarp is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the tarp may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, THR shall cease using the tarp as ADC material at the Facility and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F).

7. THR shall not cover more than 50,000 square feet (five panels) of waste with the tarps at any one time. The ADC deployed to the second working face shall be no greater than 10,000 square feet. Soil shall be used as daily cover on any remaining areas of exposed waste.
8. The tarps shall not be used as intermediate cover or final cover at the Facility. Any solid waste disposal area that has been covered with a tarp and remains inactive for a period of 30 days shall be covered with at least 12 inches of soil in accordance with OAC Rule 3745-27-19(G).
9. THR shall promptly replace or repair a tarp if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
10. The use and location of a tarp shall be documented in the required Municipal Solid Waste Landfill Daily Log of Operations, Form 3 on each day it is used as ADC material.

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 THR 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, OH 43215

If you have any questions regarding this authorization, please contact Craig Walkenspaw of Ohio EPA, SEDO at (740) 380-5440.

Sincerely,

  
Laurie A. Stevenson  
Director

LS/CW/mr

ec: Rod Deeds, Tunnell Hill Reclamation, LLC  
Kyle Nay, Tunnell Hill Reclamation, LLC  
Perry County Health Department  
Nathan Johnson, Ohio EPA-SEDO