



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

OCTOBER 16, 2019

Carbon Limestone Landfill, LLC  
Attn: Brent Bowker  
8100 South Stateline Road  
Lowellville, Ohio 44436

**Re: Carbon Limestone Landfill, LLC  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Mahoning County  
MSWL018781**

**Subject: Carbon Limestone Landfill, LLC, Mahoning County  
Temporary Alternative Daily Cover Material Approval**

Dear Mr. Bowker:

Ohio EPA OCT 16/19  
Entered Directors Journal

On August 28, 2019, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a request for authorization to use Tarparmor ATM ADC Tarp as alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b) at Carbon Limestone Landfill Facility, owned by Republic Services (Owner), in Mahoning County.

OAC Rule 3745-27-19(F)(3)(b) states that the director may approve alternative materials, other than solid waste, or other thicknesses for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the proposed alternative material 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 or thickness for daily cover prior to utilizing the alternative material or thickness.

Ohio EPA has reviewed the information contained in the request and has determined that Tarparmor ATM ADC Tarp has the potential to provide protection comparable to six 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 the Owner to use Tarparmor ATM ADC Tarp as ADC material at the Facility.

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

### **CONDITIONS**

1. This approval is limited to the use of only Tarparmor ATM ADC Tarp at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.

2. The Owner shall place one or more of the Tarparmor ATM ADC 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. The Tarparmor ATM ADC Tarp shall be secured on all four sides by weights or other means necessary to ensure it remains in place. Prior to placing the next layer of waste, the Tarparmor ATM ADC 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 Tarparmor ATM ADC Tarp ineffective or otherwise unsatisfactory, the Owner 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, the Owner 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.
5. If the Owner determines Tarparmor ATM ADC Tarp is ineffective or otherwise unsatisfactory under normal operating conditions, the Owner shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the Owner may apply another ADC material that has been approved for use at the Facility. The Owner shall verbally notify Ohio EPA, DMWM, NEDO and Mahoning County General Health District of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, NEDO and Mahoning County Health District within 14 calendar days. This notification is not necessary if use of Tarparmor ATM ADC Tarp ceases only on a temporary basis in accordance with Condition Number 4.
6. If Ohio EPA or Mahoning County General Health District determines that the use of Tarparmor ATM ADC Tarp is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use Tarparmor ATM ADC Tarp may be revoked upon written notification from the Director of Ohio EPA. Immediately upon such revocation, the Owner shall cease using Tarparmor ATM ADC Tarp 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, the Owner may apply another ADC material that has been approved for use at the Facility.
7. The Owner shall not cover more than 50,000 square feet of waste with the Tarparmor ATM ADC Tarp at any one time.
8. The Owner shall not use Tarparmor ATM ADC Tarp as cover for three days after an occurrence of a fire at the working face and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F).

9. The Owner shall use Tarparmor ATM ADC Tarp at the end of each working day only if landfilling operations are to resume the next day; otherwise, conventional soil shall be used in accordance with OAC Rule 3745-27-19(F).
10. Tarparmor ATM ADC Tarp shall not be used as intermediate cover or final cover at the Facility.
11. The Owner shall promptly replace or repair Tarparmor ATM ADC Tarp if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
12. The use and location of Tarparmor ATM ADC 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.
13. Not later than 120 days after the effective date of this authorization, the Owner shall submit a report to Ohio EPA, DMWM, NEDO comparing the effectiveness of using Tarparmor ATM ADC Tarp to conventional soil cover. The report shall contain a discussion of the following items:
  - a. The number of days that Tarparmor ATM ADC Tarp were used;
  - b. Weather conditions at the time of placement of Tarparmor ATM ADC Tarp;
  - c. Number of days odors were detected;
  - d. The presence of vectors, rodents, or insects;
  - e. Any increase in blowing litter;
  - f. Methods for controlling fire during use of Tarparmor ATM ADC Tarp;
  - g. Any increase or decrease in the amount of erosion as compared to areas with conventional soil cover.
14. A stockpile of soil shall be located within the current phase of operation for fire control.
15. This authorization to use Tarparmor ATM ADC Tarp as alternative daily cover material shall expire 180 days after its effective date.

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 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.

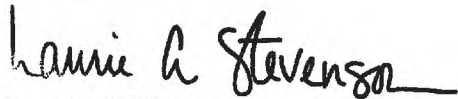
You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section

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 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 regarding this authorization, please contact Clarissa Gereby of Ohio EPA, DMWM, NEDO at (330) 963-1224.

Sincerely,



Laurie A. Stevenson  
Director

LAS:CG

ec: Lynn Sowers, Ohio EPA, DMWM, NEDO  
Jeremy Carroll, Ohio EPA, DMWM, CO  
Amy Holinbaugh, Mahoning County Health District  
Aaron See, Republic Services  
Hadi Chammas, Republic Service