



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

May 22, 2020

Mr. Jeffrey E. Rumpke  
Vice President  
Rumpke of Ohio, 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  
Authorization for Temporary Storage for Leachate**

Dear Mr. Rumpke:

On May 20, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a request from Jeff Rumpke, Vice President of Rumpke Sanitary Landfill, Inc. (Rumpke) pursuant to Ohio Administrative Code (OAC) Rule 3745-27-19(K)(4), to temporarily store leachate within the limits of waste placement at Rumpke Sanitary Landfill (Facility) located in Hamilton County.

The Metropolitan Sewer District of Greater Cincinnati (MSD) notified Rumpke that, due to abnormally high rainfall, the Facility will have to be temporarily stop leachate discharge to MSD to allow the plant to regulate capacity. Rumpke immediately stopped leachate discharge to MSD and began to store it in their 250,000-gallon onsite storage tank. Rumpke is requesting authorization to temporarily store leachate within the limits of waste placement during periods when MSD cannot accept their leachate due to capacity issues. While Rumpke has ongoing relationships with similar treatment facilities, they are experiencing capacity issues as well. Rumpke anticipates MSD may have capacity issues for extended periods over the next ninety (90) days.

Based upon review of the request and associated information, I hereby authorize Rumpke Sanitary Landfill in Hamilton County to temporarily store leachate within the limits of waste placement pursuant to OAC Rule 3745-27-19(K)(4). This authorization is subject to the following conditions.

#### **CONDITIONS**

1. This authorization to temporarily store leachate within the limits of waste placement shall expire ninety (90) days after the effective date of this authorization.
2. This authorization is limited to situations when MSD notifies Rumpke to temporarily cease discharging leachate. These situations include, but are not limited to, publicly owned treatment works (POTW) unavailability and POTW plant by-pass due to wet weather.

3. Nothing in this authorization shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This authorization 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, or the Comprehensive Environmental Response, Compensation, and Recovery Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
4. Issuance of this authorization does not constitute expressed or implied agreement that the operation of the Facility in accordance with this authorization will constitute compliance with applicable state and federal laws, rules and regulations, nor does issuance of this authorization ensure that necessary operating permits or licenses will be granted.

### END OF CONDITIONS

You are hereby notified that this action of the director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission (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 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 Dylan Dyer of Ohio EPA, SWDO at (937) 285-6048.

Sincerely,



Laurie A. Stevenson  
Director

ec: Michelle Ackenhausen, DMWM, SWDO  
Jeremy Carroll, DMWM, CO  
Chuck DeJonckheere, Hamilton County Public Health  
Jeffrey E. Rumpke, Rumpke of Ohio, Inc.