



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

January 4, 2021

Mr. Steve Lonneman, District Manager
Evergreen Recycling and Disposal Facility
2625 East Broadway
Northwood, Ohio 43619

Re: Evergreen Recycling & Disposal
Director's Authorization
Approval
Municipal Solid Waste Landfills
Wood County
MSWL018761

**Subject: Evergreen Recycling & Disposal, Wood County
Temporary Alternative Daily Cover Material Approval**

Dear Mr. Lonneman:

On October 9, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a written request for authorization to use Whirlpool Filter Cake (WFC) as alternative daily cover (ADC) material at Evergreen Recycling & Disposal (Facility) located at 2625 East Broadway, Northwood, Ohio. Waste Management 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 WFC 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 the temporary use of WFC 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 WFC 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 a six (6) to twelve (12)-inch thick layer of WFC 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. WFC shall be applied such that all solid waste is completely covered. Prior to placing the next layer of waste, WFC 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 WFC 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, the owner or operator 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 the owner or operator determines WFC is ineffective or otherwise unsatisfactory under normal operating conditions, the owner or operator shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the owner or operator may apply another ADC material that has been approved for use at the Facility. The owner or operator shall verbally notify Ohio EPA, DMWM, NWDO of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, NWDO within fourteen (14) calendar days. This notification is not necessary if use of WFC ceases only on a temporary basis in accordance with Condition Number 3.
 5. If Ohio EPA determines that the use of WFC is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use WFC may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, the owner or operator shall cease using WFC 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 or operator may apply another ADC material that has been approved for use at the Facility.
 6. WFC 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 WFC 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. The owner or operator shall promptly reapply WFC if waste becomes exposed.
 8. The use and location of WFC shall be documented in the required Municipal Solid Waste Landfill Daily Log of Operations, Forms 2 and 3 on each day it is used as ADC material.
 9. WFC shall be utilized only on internal slopes where surface water that may contact WFC will be contained within the confines of the leachate collection system.

10. The WFC shall be counted against the Facility's authorized maximum daily waste receipt.
11. Not later than one hundred twenty (120) days after the effective date of this authorization, the owner or operator shall submit a report to Ohio EPA, NWDO comparing the effectiveness of using WFC to conventional soil cover. The report shall contain a discussion of the following items:
 - a. The number of days that WFC was used;
 - b. Weather conditions at the time of placement of WFC;
 - 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 WFC; and,
 - g. Any increase or decrease in the amount of erosion as compared to areas with conventional soil cover.
12. This authorization to use WFC as ADC material shall expire one hundred eighty (180) days after its effective date.
13. Photographs from at least two opposing sides of the working face shall be taken each day that WFC has been applied. All photographs shall be maintained at the Facility and made available to Ohio EPA upon request. The photographs shall be marked with the date and time that the photograph was taken along with the name of the photographer, the direction the picture was taken, and a description of the general area in which the photograph was taken.

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, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at 419-373-3078.

Sincerely,

A handwritten signature in black ink that reads "Laurie A. Stevenson". The signature is written in a cursive style with a large initial "L".

Laurie A. Stevenson
Director

ec: Tim Mann, Evergreen RDF
Mike Reiser, DMWM, NWDO
Andy Drumm, DMWM, NWDO
Jeremy Carroll, DMWM, CO