



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

May 22, 2015

Todd Brady  
Waste Management, Inc.  
7916 Chapel Street  
Waynesburg, Ohio 44688

**Re: Coshocton Landfill, Inc.  
Non-permit Related Exemptions  
Approval  
Municipal Solid Waste Landfills  
Coshocton County  
MSWL018823**

**Subject:** Final Findings and Orders

Dear Sir:

Transmitted herewith are the Final Findings and Orders of the Director concerning the matter indicated for Coshocton Landfill, Inc.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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  
77 South High St., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions, please contact Jeff Hurdley at (614) 644-3037.

Sincerely,

A handwritten signature in black ink that reads "D. Crumiell-Hagens". The signature is written in a cursive, flowing style.

Demitria Crumiell-Hagens, Administrative Professional II  
Division of Materials & Waste Management

Enclosure

cc: Brad Mitchell, DMWM, CO  
Scott Hester, DMWM, CO  
Jeremy Carroll, DMWM, CO  
Jeff Hurdley, Legal  
Rich Fox, DMWM, SWDO  
Erika Jackson, DMWM, SWDO  
  
Zach Fanning, Coshocton County Health Department

OHIO E.P.A.

Issuance Date: May 22, 2015

MAY 22 2015

Effective Date: May 22, 2015

ENTERED DIRECTOR'S JOURNAL

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the Matter of:

Coshocton Landfill, Inc.  
19469 County Road No 7  
Coshocton, Ohio 43812

Director's Final Findings  
and Orders

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to Coshocton Landfill, Inc., a subsidiary of Waste Management, pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) Section 3734.02(G) and Ohio Administrative Code (OAC) Rule 3745-27-03(B).

**II. PARTIES BOUND**

These Orders shall apply to and be binding upon Coshocton Landfill, Inc. and successors in interest liable under Ohio law. No change in ownership of Coshocton Landfill, Inc., or Coshocton Landfill as hereinafter defined, shall in any way alter Coshocton Landfill, Inc.'s obligations under these Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734 and the rules promulgated thereunder.

**IV. FINDINGS**

The Director of Ohio EPA (Director) has determined the following findings:

1. Coshocton Landfill, Inc., (Owner) is the owner of property (Property) located at 19469 County Road 7, Coshocton, Coshocton County, Ohio. The Property includes Coshocton Landfill (Facility), a sanitary landfill facility as that term is defined in OAC Rule 3745-27-01(S)(4).
2. The Owner has ceased routine waste acceptance at the Facility and intends to accept only one load of waste each year in order to avoid triggering mandatory closure requirements.

3. On June 3, 2014, through Director's Final Findings and Orders, the Owner was granted relief from specific daily and weekly record-keeping requirements and was authorized to relocate the Facility's operating record to Suburban Landfill in Perry County.
4. Subsequently, due to personnel changes, the Owner has requested an additional exemption from OAC Rule 3745-27-09(C), which requires that the operating record for a sanitary landfill facility be located at the sanitary landfill facility, in order to relocate the Facility's operating record to American Landfill in Stark County for storage and maintenance. This alternative location is easily accessible to Ohio EPA and the operating record can be made readily available to the Coshocton County Health Department, if necessary.
5. Due to the remote location of the Facility and the relocation of Facility employees to other landfills, the Facility and all records kept at the Facility are susceptible to vandalism. Therefore, granting an exemption from the requirement to keep the operating record at the Coshocton Landfill will allow the Owner to move the operating record to a more secure location.
6. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director, by order, may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes in such quantities or under such circumstances that, in the determination of the Director, are unlikely to adversely affect the public health or safety or the environment from any requirement of ORC Chapter 3734 or any rules adopted thereunder.
7. Based on a review of the request, granting an exemption from OAC Rule 3745-27-09(C), which requires that the owner keep the operating record at the Facility, is unlikely to adversely affect the public health or safety or the environment, provided the Owner complies with the request and the following Orders.

## **V. ORDERS**

1. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Owner is hereby exempted from the requirement of OAC Rule 3745-27-09(C) to locate the operating record at the Facility. The Facility's operating record is to be relocated to American Landfill, Inc., located at 7916 Chapel St SE, Waynesburg, Ohio in Stark County. This exemption shall expire when routine waste acceptance recommences at the Facility. Routine waste acceptance is defined as accepting more than one load of waste per calendar year.
2. The Owner shall notify Ohio EPA not later than two weeks prior to recommencing routine waste acceptance at the Facility.

3. Except as otherwise expressly provided herein, the Owner shall comply with all other applicable requirements of ORC Chapter 3734 and the rules promulgated thereunder.

#### **VI. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action, or demand in law or equity against any person, firm, partnership, or corporation, not a party to these Orders, for any liability arising from, or related to, the Facility.

#### **VII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to the Owner or the Facility.

**IT IS SO ORDERED:**



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Craig W. Butler, Director

**Ohio Environmental Protection Agency**