



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

OHIO E.P.A.

DEC 21 2015

DIRECTOR'S JOURNAL

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Mr. John Butler
Senior Site Engineer
Rumpke Sanitary Landfill, Inc.
10795 Hughes Road
Cincinnati, Ohio 45251

Re: Rumpke Sanitary Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Hamilton County
MSWL018791

**Subject: Rumpke Sanitary Landfill, Hamilton County
Alternative Daily Cover Material Approval
4 to 10 mil Black Polypropylene Sheeting**

On October 23, 2015, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a written request, dated October 21, 2015, for authorization to use black polypropylene sheeting with a thickness of at least 4-mil, but not greater than 10-mil, as alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) 3745-27-19(F)(3)(b) at Rumpke Sanitary Landfill (Facility) located at 10795 Hughes Road in Hamilton County. Rumpke Sanitary Landfill, Inc. (Rumpke) is the owner and operator of the Facility.

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

In a previous authorization dated June 25, 2015, Ohio EPA granted Rumpke a 180-day temporary authorization to use up to 100,000 square feet of black polypropylene sheeting within all areas of the landfill for a period of not more than 45 days. Rumpke provided a report evaluating the use of the 4-mil to 10-mil black polypropylene sheeting used as ADC material at the Facility.

Ohio EPA has reviewed the information contained in the request and the report and has determined that the black polypropylene sheeting, with a thickness of at least 4-mil, but not greater than 10-mil (black polypropylene sheeting), has the potential 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)(b), I hereby authorize Rumpke to use black polypropylene sheeting as ADC material at the Facility in accordance with the October 21, 2015 request.

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

CONDITIONS

1. This approval is limited to the use of only black polypropylene sheeting at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. Rumpke shall place black polypropylene sheeting 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 black polypropylene sheeting shall be applied such that all waste materials are completely covered. Prior to placing the next layer of waste, the black polypropylene sheeting 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 black polypropylene sheeting ineffective or otherwise unsatisfactory, Rumpke 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, Rumpke 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 Rumpke determines black polypropylene sheeting is ineffective or otherwise unsatisfactory under normal operating conditions, Rumpke shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Rumpke may apply another ADC material that has been approved for use at the Facility. Rumpke shall verbally notify Ohio EPA, DMWM, SWDO and Hamilton County Public Health of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, SWDO within fourteen (14) calendar days. This notification is not necessary if use of the black polypropylene sheeting ceases only on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA or Hamilton County Public Health determines that the use of the black polypropylene sheeting is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the black polypropylene sheeting may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, Rumpke shall cease using the black polypropylene sheeting 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, Rumpke may apply another ADC material that has been approved for use at the Facility.

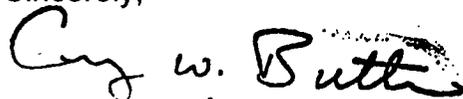
6. The Facility shall not have more than 100,000 square feet of waste covered with black polypropylene sheeting at any one time.
7. Rumpke shall promptly replace the black polypropylene sheeting if it becomes frayed, torn, ripped or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
8. Black polypropylene sheeting shall not be used as intermediate cover or final cover at the Facility. Any solid waste disposal area that has been covered with black polypropylene sheeting and inactive for a period of forty-five (45) days 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 45th day. Daily inspections shall be conducted to ensure that use of the material complies with OAC Rule 3745-27-19(F). These inspections 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.
9. 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 Rumpke 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 the 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 Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215

If you have any questions regarding this authorization, please contact Michael Harris of Ohio EPA, SWDO at (937) 285-6089.

Sincerely,

A handwritten signature in black ink that reads "Craig W. Butler". The signature is written in a cursive style with a large initial "C" and a distinct "w." before the last name "Butler".

Craig W. Butler
Director

cc: Michelle Ackenhausen, Supervisor, DMWM, SWDO
Tim Ingram, Hamilton County Public Health Commissioner