

# **INTEROFFICE MEMO**



To: Craig W. Butler, Director

From: Scott Hester, Authorizing Actions and Engineering Unit, through Terrie TerMeer, Chief, DMWM

Date: February 10, 2016

Re: Central Waste, Inc.; Director's Authorization; Application and Support; Municipal Solid Waste Landfills; Mahoning County; MSWL018792

Subject: Central Waste Landfill, Mahoning County  
Approval of Variance and Revision to Closure/Post-Closure Care Plan

A director's letter is attached for your signature. The letter, if issued, will grant a variance to Bond Safeguard Insurance Company and approve a revision to the Closure/Post-Closure Care Plan for the Central Waste Landfill (Facility) located in Mahoning County.

## **Background**

Central Waste Landfill is a municipal solid waste landfill located at 12003 Oyster Road in Smith Township, Mahoning County. The landfill ceased accepting waste on June 12, 2012, thereby triggering mandatory closure in accordance with OAC Rule 3745-27-11(C)(1)(e). The financial assurance requirements for closure and post-closure care of the landfill were satisfied through a surety bond established under OAC Rules 3745-27-15(H) and 3745-27-16(H). The surety company that issued the bond is Bond Safeguard Insurance Company (BSIC). The landfill has not undergone proper closure due to BSIC's unsuccessful attempts to find a buyer for the landfill since waste acceptance ceased. Currently, BSIC indicates that it plans to perform closure of the landfill and has submitted a revised closure/post-closure care plan to Ohio EPA for review.

On December 17, 2017, Ohio EPA received a document titled "Revised Closure/Post-Closure Plan, Central Waste Disposal Facility, Permit to Install No. 02-14224. CEC Project 153-121.0001." The document was submitted by Civil and Environmental Consultants on behalf of BSIC. The document requests approval of revisions to the Facility's Closure/Post-Closure Care Plan and a variance from the minimum grade requirements for the final composite cap system, as required by OAC Rule 3745-27-08(C)(4)(c).

OAC Rule 3745-27-08(C)(4)(c) requires that a composite cap system be designed and constructed with at least a 5.0 percent grade in all areas except where surface water control structures are located. BSIC is requesting a variance to this rule and has designed the composite cap system with at least a 3 percent grade.

Pursuant to Ohio Revised Code (ORC) Section 3734.02(A) and OAC Rule 3745-27-03(C), the Director may grant a variance if he determines that construction, operation, closure activities and/or post-closure activities of the solid waste facility in the manner approved by the variance

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and any terms or conditions imposed as part of the variance will not create a nuisance or hazard to public health or safety or the environment and are unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder.

#### **Recommendation**

Upon review of the variance request and the revision to the Closure/Post-Closure Care Plan, DMWM has determined that granting the variance and approving the revision will not create a nuisance or hazard to public health or safety of the environment and is unlikely to result in a violation of any other requirements of ORC Chapters 3734, 3714, or 6111 and rules adopted thereunder. Therefore, DMWM recommends issuing the attached letter granting the specified variance and approving the revision to the Facility's Closure/Post-Closure Care Plan.

If you have any questions, please contact Jeremy Carroll at (614) 644-2830 or Troy Harter at (614) 644-3680.

Attachment: Director's Letter