



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

OHIO E.P.A.

MAY -6 2016

MAY 06 2016

ENTERED DIRECTOR'S JOURNAL

Mr. Nathan Taylor
Environmental Manager
Republic Services
2946 U.S. 68 North
Bellefontaine, Ohio 43311

Re: Cherokee Run Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Logan County
MSWL018815

**Subject: Cherokee Run Landfill, Logan County
Temporary Alternative Daily Cover Approval
Fabrene RTGPN9N9 tarp**

Dear Mr. Taylor:

On March 17, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a written request dated March 17, 2016, requesting authorization to use a 9.4 oz/sy Coated Polyethylene RTGPN9N9 tarp (Fabrene Tarp), manufactured by Fabrene, as alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at Cherokee Run Landfill (Facility) located at 2946 U.S. 68 North in Logan County. Cherokee Run Landfill, Inc. (Owner) is the owner and operator of the Facility.

The Owner requested the ADC usage period from seven to forty-five days. To minimize the soil particle infiltration into the leachate drainage layer, the Owner plans to use the Fabrene Tarp along the leading edge of solid waste placement, where solid waste comes in contact with the leachate drainage layer. Since, it will take more than seven days to return to certain fill areas along the internal slopes, the owner has requested an extension of the ADC usage period to 45 days, where placement of additional soil cover could clog the leachate collection system.

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

Ohio EPA has reviewed the information contained in the request and has determined that the Fabrene Tarp has the potential to provide protection comparable to six (6)

inches of soil as required by OAC Rule 3715-27-19(F). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize the Owner to use Fabrene Tarp as ADC material at the Facility for a trial period of one hundred eighty (180) days from the effective date of this authorization.

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

CONDITIONS

1. This approval is limited to the use of Fabrene Tarp at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. The Owner shall place Fabrene Tarp 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 Fabrene Tarp shall be applied such that all waste materials are completely covered. Prior to placing the next layer of waste, the Fabrene Tarp shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.
3. Any scrap tires used by the Owner to secure the Fabrene Tarp shall be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the rules promulgated thereunder.
4. If inclement weather conditions render the placement or use of Fabrene Tarp ineffective or otherwise unsatisfactory, the Owner 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 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.
5. If the Owner determines Fabrene Tarp is ineffective or otherwise unsatisfactory under normal operating conditions, the Owner shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the Owner shall verbally notify Ohio EPA, DMWM, SWDO and Logan County Health District 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 Fabrene Tarp ceases only on a temporary basis in accordance with Condition Number 4.
6. If Ohio EPA or Logan County Health District determines that the use of Fabrene Tarp is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use Fabrene Tarp may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, the Owner shall cease using Fabrene Tarp 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 may apply another ADC material that has been approved for use at the Facility.
7. The Facility shall not have more than 20,000 square feet of waste covered with Fabrene Tarp at any one time.
 8. The Owner shall promptly replace or repair Fabrene Tarp if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
 9. Fabrene Tarp shall not be used as intermediate cover 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 Fabrene Tarp, 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. In areas where the ADC is used to minimize soil particle infiltration into the leachate drainage layer, it may remain in place for an extended period beyond seven (7) days, but not to exceed forty-five (45) days. Daily inspections shall be conducted to ensure that 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.
 10. In areas where Fabrene Tarp is used to minimize soil particle infiltration, the Owner shall clearly label the ADC with the date and time of deployment.
 11. Not later than one hundred twenty (120) days after the effective date of this authorization, the Owner shall submit a report to Ohio EPA, SWDO comparing the effectiveness of using Fabrene Tarp to conventional soil cover. The report shall contain a discussion of the following items:
 - a. The number of days that Fabrene Tarp was used;
 - b. Weather conditions at the time of placement of Fabrene Tarp;
 - 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 Fabrene Tarp.
 12. This authorization to use Fabrene Tarp as ADC material shall expire one hundred eighty (180) days after its effective date.
 13. Photographs from at least two (2) opposing sides of the working face shall be taken the first day that Fabrene Tarp has been applied and weekly thereafter. At least four (4) such series of photographs shall be included in the report required by Condition Number 11 during the trial period. All photographs shall be maintained at the Facility and made available to Ohio EPA and Logan County Health District 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.

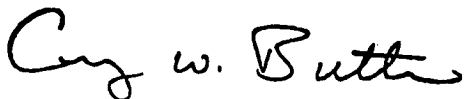
14. Nothing from this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This letter shall not be interpreted to release Republic from responsibility under ORC Chapters 3745, 3714, 3734 or 6111; under the Federal Clean 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
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,



Craig W. Butler
Director

ec: Michelle Ackenhausen, DMWM, SWDO
Craig Kauffman, Logan County Health District