



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

**MAY 27 2016**

Todd Brady  
Mahoning Landfill, Inc.  
3510 Garfield Road  
New Springfield, Ohio 44443

Re: Mahoning Landfill Inc  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Mahoning County  
MSWL018785

**Subject: Mahoning Landfill, Mahoning County  
Alternative Daily Cover Material Approval**

Dear Mr. Brady:

On May 20, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), received a written request for authorization to use Belton Industries, Inc., Style 884 Woven Geotextile (Belton 884) as alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at Mahoning Landfill (Facility) located in Mahoning County. Mahoning Landfill, Inc. (MLI) is the current owner of the Facility.

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

Specifically, MLI requested to use Belton 884. Ohio EPA has reviewed the information contained in the request and has determined that Belton 884 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)(b), I hereby authorize MLI to use Belton 884 as an ADC material at the Facility.

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

### **CONDITIONS**

1. This approval is limited to the use of only Belton 884 at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.

2. MLI shall place Belton 884 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. Belton 884 shall be secured on all four (4) sides by weights or other means necessary to ensure it remains in place. Prior to placing the next layer of waste, Belton 884 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 or operator to secure Belton 884 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 Belton 884 ineffective or otherwise unsatisfactory, MLI 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, MLI 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 MLI determines Belton 884 is ineffective or otherwise unsatisfactory under normal operating conditions, MLI 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. MLI shall verbally notify Ohio EPA, DMWM, NEDO and the Mahoning County District Board of Health (MCDBH) of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, NEDO within fourteen (14) calendar days. This notification is not necessary if use of Belton 884 ceases only on a temporary basis in accordance with Condition Number 4.
6. If Ohio EPA or MCDBH determines that the use of Belton 884 is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use Belton 884 may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, MLI shall cease using Belton 884 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, MLI may apply another ADC material that has been approved for use at the Facility.
7. MLI shall not cover more than 30,000 square feet of waste with Belton 884 at any one time. Soil shall be used as daily cover on any remaining areas of exposed waste.

8. Belton 884 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 Belton 884 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.
9. MLI shall promptly replace or repair Belton 884 if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
10. The use and location of Belton 884 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.
11. 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.

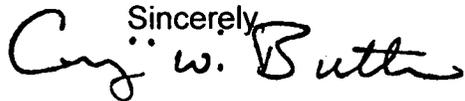
You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The 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  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

Todd Brady  
American Landfill, Stark County  
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If you have any questions regarding this authorization, please contact Clarissa Gereby of Ohio EPA, NEDO at (330) 963-1224.

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".

Craig W. Butler  
Director

AD/vm

cc: Clarissa Gereby, Ohio EPA, DMWM, NEDO  
Dave Fetchko, Mahoning County District Board of Health