



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

AUGUST 20, 2018

Mr. Dave Murphy, Site Engineer
Rumpke Waste, Inc.
10795 Hughes Road
Cincinnati, OH 45251

Re: Pike Sanitation Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Pike County
MSWL018806

Pike Sanitation Landfill
Non-Permit Related Exemption
Approval
Municipal Solid Waste Landfills
Pike County
MSWL018806

Ohio EPA AUG 20 '18
Entered Directors Journal

**Subject: Pike Sanitation Landfill, Pike County
Alternative Daily Cover Material Approval
Ohio Administrative Code (OAC) Rule 3745-27-03(B) Exemption**

Dear Mr. Murphy:

On October 24, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a request for authorization to use BYPRO (pulp and paper mill wastewater treatment plant residuals) as an alternative daily cover (ADC) material in accordance with OAC Rule 3745-27-19(F)(3)(a) at Pike Sanitation Landfill (Facility) located at 11775 State Route 220 East, Waverly in Pike County, Ohio. The request was prepared by Terracon Consultants, Inc. on behalf of the Facility's owner and operator, Rumpke Waste, Inc. (Rumpke).

On January 19, 2018, a 180-day trial period was approved for the use of BYPRO as an ADC at the Facility. The temporary approval required Rumpke to submit a report evaluating the effectiveness of BYPRO as ADC. On May 17, 2018, Ohio EPA, SEDO received the report and request for long-term approval to use BYPRO as ADC.

OAC Rule 3745-27-19(F)(3)(a) states, "The director may approve solid waste to be used as alternative material for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the solid waste material proposed for use can provide protection comparable to six inches of soil and is protective of human health and

environment. The owner or operator must obtain written approval to use solid waste for alternative daily cover prior to utilizing the solid waste."

Ohio EPA has reviewed the information contained in the October 24, 2017 request and May 17, 2018 report and has determined that BYPRO 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)(a), I hereby authorize Rumpke to use BYPRO as ADC material at the Facility.

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

CONDITIONS

1. This approval is limited to the use of BYPRO as described in the October 24, 2017 request. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. Rumpke shall place a six (6) to twelve (12)-inch thick layer of BYPRO over 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. BYPRO shall be applied such that all waste materials are completely covered. Prior to placing the next layer of waste, BYPRO shall be 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 BYPRO 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 weather conditions.
4. If Rumpke determines that BYPRO 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 notify Ohio EPA, DMWM, SEDO and the Pike County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, SEDO within fourteen (14) calendar days. This notification is not necessary if use of BYPRO ceases only on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA or the Pike County Health Department determines that the use of BYPRO is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use BYPRO may be revoked upon written

notification from the Director of Ohio EPA (Director). Immediately upon such revocation, Rumpke shall cease using BYPRO 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 approved for use at the Facility.

6. BYPRO shall not be used as intermediate cover or final cover at the Facility. Any solid waste disposal area that has been covered with BYPRO and inactive for a period of thirty (30) days shall be covered with at least twelve (12) inches of soil in accordance with OAC Rule 3745-27-19(G)(2).
7. Rumpke shall promptly reapply BYPRO if waste becomes exposed.
8. The use and location of BYPRO 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. BYPRO shall only be applied as ADC material on internal slopes of the landfill where surface water that may contact BYPRO will be contained within the confines of the leachate collection system.
10. Any stockpiles or storage areas for BYPRO shall be located within the current phase of operation. Any water that comes into contact with BYPRO, either during use as ADC material or during storage, shall be directed to the leachate collection system.
11. Any BYPRO used as ADC material at the Facility shall be counted toward the Facility's authorized maximum daily waste receipt.
12. Pursuant to ORC Section 3734.578, fees applicable to solid waste under ORC Chapter 3734 do not apply to any BYPRO used as ADC material at the Facility in accordance with this authorization.

END OF CONDITIONS

EXEMPTION FROM OAC RULE 3745-27-19(E)(7)(e)

Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid wastes that consist of scrap tires, 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 requirements to obtain a registration certificate or license or comply with other requirements of ORC Chapter 3734.

Rumpke has requested an exemption from OAC Rule 3745-27-19(E)(7)(e), which requires that all waste admitted to the sanitary landfill facility is deposited at the working face, spread in layers not more than two (2) feet thick, and compacted to the smallest practical volume.

As part of the activities approved through this authorization, Rumpke proposes to stockpile BYPRO near the working face or within the constructed portion of the landfill in an area convenient to the current and/or planned working face location(s).

Ohio EPA has reviewed the request and concluded that allowing Rumpke to stockpile BYPRO in the landfill adjacent to the working face or within the constructed portion of the landfill in an area convenient to the current and/or planned working face is unlikely to adversely affect public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), Rumpke is hereby exempted from the requirement of OAC Rule 3745-27-19(E)(7)(e) as it applies to the deposition of BYPRO admitted to the facility at the working face, provided that BYPRO complies with all conditions of this authorization. This exemption shall remain in effect throughout the effective period of this authorization unless otherwise revoked.

END OF EXEMPTION

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 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
30 East Broad Street, 4th Floor
Columbus, OH 43215

Pike Sanitation Landfill
OAC Rule 3745-27-19(F)(3)(a)
Page 5 of 5

If you have any questions regarding this authorization, please contact Craig Walkenspaw of Ohio EPA, SEDO at (740) 380-5440.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Butler', with a stylized flourish at the end.

Craig W. Butler
Director

CB/CW/mr

cc: Bruce Downard, Rumpke Waste, Inc.
Pike County Health Department
Scott Hester, Ohio EPA-CO
Erika Jackson, Ohio EPA-SEDO