



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

JANUARY 23, 2019

Mr. Joe Caldwell
General Manager
Williams County Landfill
12359 County Road G
Bryan, Ohio 43506

Re: Williams County Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Williams County
MSWL018805

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

Dear Mr. Caldwell:

Ohio EPA JAN 23 '19
Entered Directors Journal

On November 9, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a written request for authorization to use Posi-Shell, ProGuard SB2, and BioCover ADC as alternative daily cover (ADC) materials in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b) at Williams County Landfill (Facility) in Williams County. Republic Services 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, 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 Posi-Shell, ProGuard SB2, and/or BioCover ADC have 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 Republic Services to use Posi-Shell, ProGuard SB2, and/or BioCover ADC as alternative daily cover materials at the Facility.

As part of this approval, the owner or operator is subject to the following conditions:

CONDITIONS

1. This approval is limited to the use of only Posi-Shell, ProGuard SB2, and/or BioCover ADC at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall apply Posi-Shell, ProGuard SB2, and/or BioCover ADC 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. Posi-Shell, ProGuard SB2, and/or BioCover ADC shall be applied from different directions and at a rate such that all solid waste is completely covered. Prior to placing the next layer of waste, Posi-Shell, ProGuard SB2, and/or BioCover ADC 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 Posi-Shell, ProGuard SB2, and/or BioCover ADC ineffective or otherwise unsatisfactory, the owner or operator 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, Republic Services 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 Republic Services determines Posi-Shell, ProGuard SB2, and/or BioCover ADC is ineffective or otherwise unsatisfactory under normal operating conditions, Republic Services shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Republic Services may apply another ADC material that has been approved for use at the Facility. Republic Services shall verbally notify Ohio EPA, DMWM, NWDO of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, NWDO within fourteen (14) calendar days. This notification is not necessary if use of Posi-Shell, ProGuard SB2, and/or BioCover ADC ceases only on a temporary basis in accordance with Condition Number 3.
5. If Ohio EPA determines that the use of Posi-Shell, ProGuard SB2, and/or BioCover ADC is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use Posi-Shell, ProGuard SB2, and/or BioCover ADC may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, Republic Services shall cease using Posi-Shell, ProGuard SB2, and/or BioCover ADC 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, Republic Services may apply another ADC material that has been approved for use at the Facility.

6. Posi-Shell, ProGuard SB2, and/or BioCover ADC 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 Posi-Shell, ProGuard SB2, and/or BioCover ADC 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.
7. Republic Services shall not cover more than one acre of waste with Posi-Shell, ProGuard SB2, and/or BioCover ADC at any one time. Soil shall be used as daily cover on any remaining areas of exposed waste.
8. Republic Services shall promptly reapply Posi-Shell, ProGuard SB2, and/or BioCover ADC if waste becomes exposed.
9. The use and location of Posi-Shell, ProGuard SB2, and/or BioCover ADC 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.

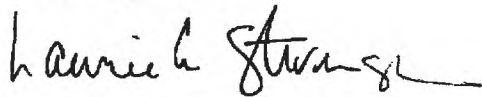
Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This letter shall not be interpreted to release the owner or operator from responsibility under ORC Chapters 3704, 3714, 3734 or 6111; under the Federal 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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Kristin Tillison of Ohio EPA, NWDO at (419) 373-3064.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurie A. Stevenson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laurie A. Stevenson
Director

/mrb

ec: Mike Reiser, DMWM-NWDO
Jeremy Carroll, DMWM-CO
Mary Ann Miller, DMWM-NWDO
Ned O'Loughlin, DMWM-NWDO