



State of Ohio Environmental Protection Agency

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Wood County Board of Commissioners
One Courthouse Square
Bowling Green, Ohio 43402

**Re: Wood County Landfill, Wood County
Revised Alternative Daily Cover (ADC) Material Approval**

Dear Commissioners:

On March 12, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a letter from Mr. Kenneth Rieman of the Wood County Solid Waste Management District and Mr. Ken Vollmar, manager, Wood County Landfill (Facility), on behalf of the Wood County Board of Commissioners (Commissioners), requesting a revision to the Facility's approval to use ProGuard Single Bag (ProGuard SB) spray-on alternative daily cover (ADC) material, effective June 21, 2001. Specifically, the letter requested the deletion of Condition 7, which requires application of ProGuard SB from at least four opposing sides of the working face. The request stated that application of ProGuard SB from four sides "is not practical due to slopes and weather conditions that make it impossible to drive the equipment completely around the working face." Ohio EPA has reviewed the request and has determined that eliminating the requirement that ProGuard SB shall be applied from four sides of the working face will not hinder its capability to provide protection comparable to six (6) inches of soil as required by Ohio Administrative Code Rule 3745-27-19(F). Therefore, I hereby authorize the use of Pro Guard SB as ADC material at the Facility in accordance with the March 12, 2009 request and the following conditions.

CONDITIONS

1. This authorization shall supersede authorizations regarding the use of ProGuard SB as ADC material at the Facility issued on June 21, 2001 and June 13, 2005.
2. This authorization is limited to the use of only ProGuard SB at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
3. The owner/operator shall maintain a well-compacted working face to minimize the surface area of exposed waste and shall place ProGuard SB 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 and rodents. At a minimum, ProGuard SB shall be applied from at least two opposing sides of the working face at a rate sufficient to form a complete uninterrupted cover.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

In no case shall any exposed waste be visible in areas where ProGuard SB has been applied as ADC material.

4. If inclement weather conditions render the placement or use of ProGuard SB ineffective or otherwise unsatisfactory, the owner/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, the owner/operator 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/operator determines that ProGuard SB is ineffective or otherwise unsatisfactory under normal operating conditions, the owner/operator shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, the owner/operator may apply another ADC material that has been approved at the Facility. The owner/operator shall immediately notify Ohio EPA, NWDO and the Wood County Health Department (WCHD) of this action by the end of the next working day and shall submit written notification to Ohio EPA, NWDO within fourteen (14) calendar days. This notification is not necessary if the use of ProGuard SB ceases on a temporary basis in accordance with Condition 4.
6. If Ohio EPA or WCHD determines that the use of ProGuard SB is ineffective or unsatisfactory under normal operating conditions, then permission to use the ADC material may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, the owner/operator shall cease to use ProGuard SB 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/operator may apply another ADC material that has been approved for use at the Facility.
7. The owner/operator shall not apply the ProGuard SB during a rainfall event. In the event that precipitation renders ProGuard SB ineffective, prior to or following normal curing, another application of ProGuard SB or six inches of soil shall be applied.
8. The owner/operator shall conduct daily inspections of the ProGuard SB in use as ADC material at the Facility to ensure that the material complies with OAC Rule 3745-27-19(F) and this authorization. The owner/operator shall document these inspections on the Municipal Solid Waste Landfill Daily Log of Operations – Form 3 each day that ProGuard SB is used as ADC material.
9. ProGuard SB shall not be used as intermediate, transitional, or final cover. Any solid waste disposal area that remains inactive for a period of seven (7) days and is covered with ProGuard SB shall be covered with at least six inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day.
10. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release the owner/operator from responsibility under Ohio Revised Code (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 (Commission) pursuant to Section 3745.04 of the Ohio Revised Code. 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this approval, please contact Kimberly Burnham of Ohio EPA, NWDO at (419) 373-3049.

Sincerely,

Chris Korleski
Director

pc: Kristin Tillison, Wood County Health Department
Ken Vollmar, Wood County Landfill
Ken Reiman, Wood County Solid Waste Management District
Mike Reiser, DSIWM, NWDO
Scott Hester, DSIWM-CO