



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

**OHIO E.P.A.**

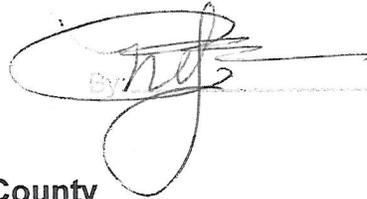
**FEB 25 2011**

**ENTERED DIRECTOR'S JOURNAL**

**FEB 25 2011**

John R. Butler  
Senior Site Engineer  
Rumpke Sanitary Landfill  
10795 Hughes Road  
Cincinnati, OH 45251

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.



Date: 2/25/2011

**RE: Rumpke Sanitary Landfill, Hamilton County  
Law Enforcement Investigation**

Dear Mr. Butler:

On February 22, 2011, you contacted the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO), regarding an ongoing law enforcement investigation at the Rumpke Sanitary Landfill (Facility) related to two missing persons. The investigation commenced on February 21, 2011.

You inquired about how to properly manage the application of alternative daily cover (ADC) material if you needed to deploy ADC material over more than one (1) acre of exposed waste, if the investigation were to continue for more than 7 days, or if law enforcement officials requested that soil not be placed in the investigation area. As you recognized, these occurrences could result in noncompliance with the February 5, 2008, Ohio EPA approval to use black 4-mil polypropylene sheeting as ADC material at the Facility.

Specifically, Condition 6 of the approval limits the use of the black 4-mil polypropylene sheeting to not more than 1 acre at any one time and Condition 8 of the approval requires that any waste disposal area that remains inactive for a period of seven (7) days, and which has been covered with black 4-mil polypropylene sheeting, shall be covered with six inches of soil by the end of the seventh day.

In recognition of the ongoing law enforcement investigation at the Facility, I understand that strict compliance with Condition 6 and Condition 8 of the February 5, 2008, approval may not be possible. Therefore, through the duration of the law enforcement investigation occurring at the Facility, I hereby waive the requirements of Condition 6 and Condition 8 of the February 5, 2008, approval as they apply to the investigation

area. Upon notification from law enforcement officials that the investigation at the Facility has concluded, the requirements of Condition 6 and Condition 8 of the February 5, 2008, approval shall apply to all areas of solid waste placement at the Facility and placement of landfill cover in the investigation area shall be completed as soon as practicable.

You are hereby notified that this action of the Director of Environmental Protection (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  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you have any questions regarding this letter, please contact Russ Brown of Ohio EPA, Southwest District Office at (937) 285-6357.

Sincerely,



Scott J. Nally  
Director

cc: Russ Brown, Ohio EPA, Southwest District Office, DSIWM  
Timothy Ingram, Hamilton County Public Health  
Larry Riddle, Rumpke Sanitary Landfill