Ohio | Environmental Protection Agency
John R. Kasich, Governor
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Scott J. Nally, Director

OHIO E.P.A.
JUN 16 2011
ENTERED DIRECTOR'S JOURNAL

JUN 16 2011

Mr. Chris Jaquet
Area Environmental Manager
Lorain County Landfill
43502 Oberlin-Elyria Rd.
Oberlin, Ohio 44074

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.
By: [signature] Date: 6/16/2011

RE: LORAIN COUNTY LANDFILL, LORAIN COUNTY
ALTERNATIVE DAILY COVER APPROVAL

Dear Mr. Jaquet:

On March 24, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a written request for authorization to use an alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Lorain County Landfill (Facility) located in Lorain County. The request was prepared by Chris Jaquet, Area Environmental Manager of Lorain County Landfill.

OAC Rule 3745-27-19(F)(3)(b) states, "The director may approve alternative materials, other than solid waste, and/or other thicknesses for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the proposed alternative material and/or thickness provides protection that is comparable to six inches of soil and is protective of human health and the environment."

Specifically, the owner or operator requested to use FR landfill fabric as ADC at the Facility. Ohio EPA recognizes that FR landfill fabric has the potential to provide protection comparable to six (6) inches of soil as required by OAC Rule 3745-27-19(F)(3)(b). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize the owner or operator to use FR landfill fabric as ADC material at the Facility.

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

CONDITIONS

1. This authorization is limited to the use of only FR landfill fabric at the Lorain County Landfill. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

2. The owner or operator shall place FR landfill fabric over exposed waste materials by the end of the working day, or more frequently if necessary, to control fire hazards, blowing litter, odors, dust, insects, and rodents. Prior to placing the next layer of waste, FR landfill fabric 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 will render the placement or use of FR landfill fabric 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, the owner or operator may apply another ADC material that has been approved for use at the Facility, provided that it is able to perform effectively under the inclement conditions.

4. If the owner or operator determines that FR landfill fabric is ineffective or otherwise unsatisfactory under normal operating conditions, the owner or operator 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 by Ohio EPA at the Facility. The owner or operator shall verbally notify Ohio EPA, NEDO of this action by the end of the next working day and shall submit written notification to Ohio EPA, NEDO within fourteen (14) calendar days. This notification is not necessary if the use of FR landfill fabric ceases on a temporary basis in accordance with Condition Number 3, above.

5. If Ohio EPA determines that the use of FR landfill fabric is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the material may be revoked upon written notification from the director of Ohio EPA. Immediately upon such revocation, the owner or operator shall cease to use FR landfill fabric 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 or operator may apply another ADC material that has been approved for use at the Facility.

6. The Lorain County Landfill shall not have more than 50,000 square feet of waste covered with FR landfill fabric at any one time. Soil or another ADC material that has been approved for use at the Facility shall be used as daily cover on any remaining areas of exposed waste.

7. FR landfill fabric shall not be used as intermediate or final cover. Any solid waste disposal area that remains inactive for a period of seven (7) days, and which has

been covered with FR landfill fabric, 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.

8. The owner or operator shall promptly replace or repair FR landfill fabric if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.

9. Any scrap tires used by the owner or operator to secure the ADC material shall be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the rules promulgated thereunder.

10. 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.

END OF CONDITIONS

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 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 authorization, please contact Clarissa Gereby of Ohio EPA, NEDO at (330) 963-1224.

Sincerely,

Scott J. Nally
Director, Ohio EPA

SJN/CG/cl

cc: Jennifer Kurko, DMWM, NEDO
Richard Kostelnick, Site Manager
John Sabo, Lorain County Health Department
Scott Hester, DMWM-CO
Clarissa Gereby, DMWM-NEDO