



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

August 12, 2013

Mr. Dave Mathews  
Apex Environmental, LLC  
P.O. Box 157  
Amsterdam, Ohio 43903

Dear Mr. Mathews:

On July 24, 2013, representatives from Apex Sanitary Landfill (Environmental Logistics Services, LLC.), Jefferson County General Health District, and Ohio EPA met to discuss the development and implementation of effective odor control and management procedures at Apex Sanitary Landfill (Apex) located in Amsterdam, Jefferson County, Ohio. The meeting was required as a response to a notice of violation, dated June 19, 2013, for failure to strictly control odors during odor surveillance performed by Ohio EPA during the months of April and May 2013. The purpose of the meeting was to discuss actions taken by Apex to control odors emanating from the landfill and is summarized below.

### **Odor Management**

During the meeting, Ohio EPA shared with Apex the Agency's effort to monitor offsite odors near the facility between April 24, 2013 and May 29, 2013 and that, due to the presence of offsite landfill odors, Apex had failed to strictly control odors as required by rule. In a notice of violation dated June 19, 2013, Ohio EPA provided its findings to Apex. Apex described steps that have been taken to minimize and control offsite odors.

Since April 2013, Apex has completed installation of additional gas collection wells and application of transitional cover to the northern slope. As required by Orders issued December 22, 2011, Apex must submit biannually a proposed plan for the expansion of the facility landfill gas collection and control system designed to maximize the control of odors and the capture of landfill gas. The most recent plan was submitted to and approved by this office on August 1, 2013, and Apex is required to install six additional vertical gas extraction wells and ancillary components not later than October 30, 2013. When dates are scheduled for construction activities that may cause odors that have the potential to migrate offsite, Ohio EPA requests that Apex notify the health district and Ohio EPA Southeast District Office.

In addition, Apex summarized items contained within its June 13, 2013 permit alteration request, which include procedures to further reduce and control odor and respond to odor complaints. On June 3, 2013, Ohio EPA issued Orders that require Apex to conduct specified landfill operations and implement procedures designed to effectively control odors and promptly respond to complaints received from the community. During the July 24, 2013 meeting, Apex representatives discussed the status of each of the June 3, 2013 Orders. On June 13, 2013, Apex submitted a permit alteration request with a revised Odor Management Plan (OMP), which was prepared to address and satisfy the Orders. Based on a preliminary review of the alteration request, Ohio EPA expressed to Apex the need to supply more descriptive narrative and measurable procedures regarding several sections of the OMP, mainly pertaining to the Sludge Management Plan, Odor Complaint Response Team activities, and required reports. Although a Sludge Handling Procedures flow diagram was included within the OMP, a more detailed plan is required to adequately describe the criteria for acceptance of sludge materials and implementation of appropriate handling procedures.

Ohio EPA also expressed the need for Apex to proactively share daily and monthly odor monitoring documentation with the health district and Ohio EPA. Apex recognized the value in preparing reports that communicated the complete timeline for odor investigations, including: odor complaint information, outcome of investigation for each complaint received, and actions taken by landfill operations to mitigate odors. Ohio EPA will provide a detailed written response summarizing these items in future correspondence to Apex.

### **Disposal of Bulk Liquids**

In a letter dated May 20, 2013, Apex was cited in violation for the disposal of liquid waste (a vacuum truckload of leachate generated on site) at the working face. Apex acknowledged error on behalf of its third-party contractor that had performed cleaning activities of facility leachate collection pumps and did not follow Apex's standard operating procedures for disposal of landfill generated waste material. Apex has since trained site operations personnel to ensure proper standard operating procedures are followed during future leachate collection sump cleaning activities. Ohio EPA emphasized that it is critical that operations personnel and contractors hired by Apex be knowledgeable of regulations related to landfill operations, and Apex is expected to train staff and operate the facility such that compliance with applicable laws and regulations is achieved.

### **Communication**

Ohio EPA emphasized the importance of communication between Apex, the health district, the community, and Ohio EPA. The group discussed effective ways to communicate pertinent information, including a website, announcement board

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located at the entrance to the landfill, and routine update meetings with the community. These information sharing opportunities can be used to make citizens aware of recent and future construction activities designed to mitigate odors, as well as summarize odor complaints and actions taken by Apex in response to confirmed detections. Since construction activities may cause odors, the announcement board can prepare citizens for brief periods of expected odors. Jefferson County General Health District and Ohio EPA are available to support communication efforts, including opportunities for Apex to update the community at board of health meetings. In addition, Apex is expected to notify the health district and Ohio EPA Southeast District Office of planned construction activities related to the expansion of the gas collection and control system.

I appreciate you and your staff meeting with Jefferson County General Health District and Ohio EPA staff to discuss the notice of violation dated June 19, 2013, and actions that have been taken by Apex to reduce and control landfill odors. As you know, Jefferson County General Health District and Ohio EPA receive routine complaints regarding landfill odors emanating into the neighboring community. Our agencies are committed to investigating complaints from the community and working with Apex to identify and implement procedures that effectively minimize and control landfill odors. As Apex continues to implement measures designed to reduce and control landfill odors, I encourage you to maintain open dialogue with my staff, Jefferson County General Health District, and the community.

Ohio EPA is completing its review of the permit alteration request submitted by Apex, and written correspondence will be forwarded identifying deficient sections. If you have any questions or comments related to the alteration request or this letter, please contact Craig Walkenspaw, Southeast District Office, at (740) 380-5440.

Sincerely,



Joe Goicochea  
Environmental Manager  
Division of Materials and Waste Management

JG/mr

ec: Bruce Misselwitz, Jefferson County General Health District  
Pam Allen, DMWM-CO  
Bruce McCoy, DMWM-CO  
Rich Fox, DMWM-SEDO