



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

OHIO E.P.A.

MAR 28 2013

ENTERED DIRECTOR'S JOURNAL

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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.

Mr. Keith Kimble
Kimble Clay & Limestone Co.
3596 State Route 39 NW
Dover, Ohio 44622

By: D. J. Cassiter Date: 3-28-13

**RE: Kimble Sanitary Landfill, I. D. # 79-00-04, Tuscarawas County
Ohio Administrative Code (OAC) Rule 3745-27-19(E)(7)(e) Approval
Operation of Two Working Faces**

Dear Mr. Kimble:

On January 9, 2013, the Ohio Environmental Protection Agency (Ohio EPA) Southeast District Office (SEDO), Division of Materials and Waste Management (DMWM) received a request, dated January 7, 2013, requesting approval to use two separate working faces at the Kimble Sanitary Landfill. The owner indicated that two working faces are necessary to better manage sludges and other impermeable waste. The owner has indicated that the current practice of disposing of these wastes at one working face is creating impermeable layers in the landfill and reducing the effectiveness of the leachate collection system. The owner has also indicated that the management of this waste has presented safety concerns. In order to alleviate the aforementioned issues, the owner has requested approval to operate a separate working face for sludges and impermeable waste streams and up to 20% municipal solid waste as a stabilizer for these waste streams.

In accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(E)(7)(e), an owner or operator shall ensure that all waste admitted to the sanitary landfill facility is deposited at the working face, spread in layers not more than two feet thick, and compacted to the smallest practical volume. An alternate method may be used if approved in writing by the director.

Ohio EPA has reviewed the aforementioned request to use two working faces at the Kimble Sanitary Landfill as documented in your request dated January 7, 2013. The request is hereby approved with the following conditions.

1. Utilization of the two working faces shall be conducted in accordance with the request dated January 7, 2013.
2. Both working faces shall have appropriate equipment and have an operator present to inspect the waste and spread and compact the waste immediately upon disposal of the waste. At no time shall waste be disposed at an unmanned area.
3. In accordance with OAC Rule 3745-27-19(F), the owner or operator shall place soil or an approved alternative daily cover (not to exceed any prior director's actions) over the exposed waste before the end of the working day to control fire hazards, blowing litter, odors, dust, insects, and rodents.
4. If, in the judgment of Ohio EPA or Tuscarawas County Health Department, the use of two working faces results in violations of any requirement of OAC Rule 3745-27-19, the owner or operator shall, upon notification from Ohio EPA, cease using two working faces and revert to using one working face.
5. If, in the judgment of Ohio EPA or the Tuscarawas County Health Department, the owner or operator is unable to abate existing nuisance conditions or has not complied with the conditions of this authorization, then the owner or operator shall, upon notification from Ohio EPA, cease utilization of two working faces at the Kimble Sanitary Landfill and revert to using one working face.
6. This approval authorizes the owner or operator to use not more than two working faces. No additional working faces may be used at the Kimble Sanitary Landfill without prior authorization from Ohio EPA, except as provided in OAC Rules 3745-27-19(D)(1) and (E)(7)(d).
7. The owner or operator shall document on the Daily Log of Operations the location of each working face on each day they operate.

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

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Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address.

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions, please feel free to contact Dale Warner at Ohio EPA, SEDO, DMWM at (740) 380-5435.

Sincerely,



Scott J. Nally, Director

JS/DW/mr

cc: Tuscarawas County Health Department
Scott Hester, DMWM, CO
SEDO-DMWM