



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

OHIO E.P.A.

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CERTIFIED

November 26, 2012

Mr. Scott Herman
Mahoning Landfill, Inc.
3510 Garfield Road
New Springfield, Ohio 44443

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 John R. Kasich Date: 11-26-12

**Re: Mahoning Landfill, Inc., Mahoning County
Authorization to Construct and Operate a Solidification Basin**

Dear Mr. Herman:

On July 5, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a request dated July 3, 2012 titled "Request for Director's Authorization, Solidification Basin, Mahoning Landfill," which was prepared by Civil and Environmental Consultants, Inc. on behalf of Mahoning Landfill, Inc. Mahoning Landfill, Inc. has requested to receive non-hazardous bulk liquids and dispose of them in the Mahoning Landfill after they are processed through a solidification basin. The non-hazardous liquid wastes are to be mixed with admixture material (solidification agent), such as hydrated lime, kiln dust, sawdust, bag house dust or short paper fiber sludge, until the resultant mixture passes the paint-filter test and meets the definition of a solid waste. Mahoning Landfill, Inc., has also requested to divert accepted admixture materials and not deposit them at the working face as required, so that they may be staged for use in the solidification basin area.

Ohio EPA has completed a review of the request in accordance with Ohio Administrative Code (OAC) Rules 3745-27-19(E)(7)(e), (E)(8)(b), and (E)(8)(i) which state, in part, that:

OAC Rule 3745-2719(E)(7)(e): ". . .the 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. . ."

OAC Rule 3745-27-19(E)(8)(b): "The owner or operator shall not accept for disposal or dispose of . . . Containerized bulk liquids or non-containerized liquids without authorization from the director."

OAC Rule 3745-27-19(E)(8)(i): *"The owner or operator shall not accept for disposal or dispose of . . . Semi-solid material containing free liquids . . . unless the owner or operator has obtained prior written authorization from Ohio EPA to dispose of that semi-solid material in the facility."*

Based upon a review of the request dated July 3, 2012, I have determined, pursuant to OAC Rules 3745-27-19(E)(7)(e), 3745-27-19(E)(8)(b), and 3745-27-19(E)(8)(i), that the solidification basin, if constructed and operated in accordance with the request and the following conditions, will not result in a violation of applicable laws or regulations and is unlikely to adversely affect public safety or health or the environment. Therefore, Mahoning Landfill, Inc., is hereby authorized to construct and operate a solidification basin in accordance with the submitted plans, specifications, and information subject to the following conditions.

CONDITIONS

1. Mahoning Landfill, Inc., shall ensure that all applicable authorizations are obtained.
2. Mahoning Landfill, Inc., shall ensure that state solid waste fees are paid on the combined weight of the bulk liquid and solidification agent.
3. Mahoning Landfill, Inc., shall ensure that liquid waste is received solely from pre-screened customers.
4. Mahoning Landfill, Inc., shall maintain current OAC Rule 3745-52-11 documentation available for inspection by Ohio EPA. This information shall be updated, at a minimum, on a yearly basis.
5. Mahoning Landfill, Inc., shall ensure that materials used as solidification agents are non-hazardous waste, compatible with the liquid waste, and can result in a mixture that meets the definition of "solid waste."
6. Mahoning Landfill, Inc., shall ensure that the solidification basin area and solidification agent staging areas are bermed to control run-off and run-on.
7. Mahoning Landfill, Inc., shall ensure that liquid which comes in contact with staged solidification agent is properly contained and managed as leachate.
8. Mahoning Landfill, Inc., shall ensure that bulk liquids are not stored in the solidification basin. Bulk liquids shall be mixed, removed, and disposed in the landfill the same business day.
9. Mahoning Landfill, Inc., shall ensure that storage of solidification agents occurs near the solidification basin, that the staging is in compliance with all applicable rules and regulations, and that storage and staging do not create a nuisance.
10. Mahoning Landfill, Inc., shall ensure that the mixing basin is moved, or removed from the landfill all together, if the unit interferes with the landfill operation or phasing.
11. Mahoning Landfill, Inc., shall ensure that each load removed from the basin after mixing meets the definition of "solid waste" as specified in OAC Rule 3745-27-01(S)(23). At a minimum, Mahoning Landfill, Inc. must visually inspect every mixed load. Any loads which release liquid must be re-mixed with additional solidification agent or be tested in accordance with method 9095 (paint filter liquids test) in SW-846.

12. Mahoning Landfill, Inc., shall maintain a separate daily log, in addition to the standard daily log of operations required by OAC Rule 3745-27-19(E)(10), that lists the following information: date, the generator of liquid waste and solidification agent (if the agent meets the definition of a "solid waste"), description of the liquid wastes and solidification agents received, quantity of both the liquid waste and solidification agent used for each mix, and documentation to ensure compliance with conditions 14 and 15 of this authorization.
13. Mahoning Landfill, Inc., shall not accept for disposal hazardous waste as defined in section 3734.01 of the Revised Code.
14. Mahoning Landfill, Inc., shall not receive, accept, process, handle, manage, or dispose of technologically enhanced naturally occurring radioactive material (TENORM), as defined in OAC Rule 3701:1-43-01, associated with drilling operations without first obtaining representative analytical results to determine concentrations of radium-226 and radium-228 present in the material.
15. Mahoning Landfill, Inc., shall not accept for disposal any TENORM material if that material contains or is contaminated with radium-226 or radium-228, or any combination of radium-226 and radium-228, at concentrations greater than or equal to 5 picocuries per gram above natural background. For the purpose of this authorization, natural background means 2 picocuries per gram.
16. Mahoning Landfill, Inc., shall not accept for disposal brine as defined in section 1509.01 of the Revised Code.
17. Mahoning Landfill, Inc., shall not accept for disposal any bulk liquid wastes that increase the potential for a landfill fire.
18. Mahoning Landfill, Inc., shall comply with this authorization, including the information contained in Mahoning Landfill, Inc.'s request to operate a solidification basin dated July 3, 2012, unless changes are otherwise authorized in writing by Ohio EPA.

Nothing in this authorization shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the actions 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," which the Commission, in its discretion, may reduce 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
77 South High Street, 17th Floor
Columbus, OH 43215

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If you have any questions concerning this authorization, please contact Allison Giancola of Ohio EPA, NEDO at (330) 963-1132 or allison.giancola@epa.state.oh.us.

Sincerely,



Scott J. Mally
Director

cc: Lynn Sowers, DMWM-NEDO
Scott Hester, DMWM-CO
Mary Helen Smith, District Board of Health Mahoning County