



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Interim Director

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

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: Jim Cassiter Date: 2-4-14

CERTIFIED

February 4, 2014

Mr. John Butler, Senior Site Engineer  
Rumpke Sanitary Landfill, Inc.  
10795 Hughes Road  
Cincinnati, Ohio 45251

Re: Rumpke Sanitary Landfill, Inc.  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Hamilton County  
MSWL018791

**Subject: Rumpke Sanitary Landfill, Hamilton County  
Alternative Daily Cover Material Approval**

Dear Mr. Butler:

On January 21, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office, (SWDO) received a written request for authorization to use Beltech 884 (Beltech) as alternative daily cover (ADC) material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3) at the Rumpke Sanitary Landfill (Facility) in Hamilton County. Rumpke Sanitary Landfill, Inc. (Rumpke) is the current owner of the Facility.

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

Specifically, the owner or operator requested to use Beltech. Ohio EPA has reviewed the information contained in the request and has determined that Beltech has the properties to provide protection comparable to six (6) inches of soil as required by OAC Rule 3745-27-19(F). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize Rumpke to use Beltech as an ADC material at the Facility.

As part of this approval, Rumpke is subject to the following conditions:

## CONDITIONS

1. This approval is limited to the use of only Beltech at the Facility. No other ADC material may be used at the Facility without prior authorization from Ohio EPA.
2. Rumpke shall place Beltech over exposed waste materials by the end of each working day, or more frequently if necessary, to control fire hazards, blowing litter, odors, dust, insects, birds, rodents, or other vectors. Beltech shall be secured on all four (4) sides by weights or other means necessary to ensure it remains in place. Prior to placing the next layer of waste, Beltech shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system.
3. Any scrap tires used by the owner or operator to secure Beltech shall be managed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the rules promulgated thereunder.
4. If inclement weather conditions render the placement or use of Beltech ineffective or otherwise unsatisfactory, Rumpke 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, Rumpke may apply another ADC material that has been approved for use at the Facility, provided that the ADC material is able to perform effectively under the inclement conditions.
5. If Rumpke determines Beltech is ineffective or otherwise unsatisfactory under normal operating conditions, Rumpke 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 at the Facility. Rumpke shall verbally notify Ohio EPA, DMWM, SWDO and Hamilton County Public Health of this action by the end of the next working day and shall submit written notification to Ohio EPA, DMWM, SWDO within fourteen (14) calendar days. This notification is not necessary if use of Beltech ceases only on a temporary basis in accordance with Condition Number 4.
6. If Ohio EPA or Hamilton County Public Health determines that the use of Beltech is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use Beltech may be revoked upon written notification from the Director of Ohio EPA (Director). Immediately upon such revocation, Rumpke shall cease using Beltech 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, Rumpke may apply another ADC material that has been approved for use at the Facility.

7. Rumpke shall not cover more than 100,000 square feet of waste with Beltech at any one time. Soil shall be used as daily cover on any remaining areas of exposed waste.
8. Beltech shall not be used as intermediate or final cover at the Facility. Any solid waste disposal area that remains inactive for a period of seven (7) days and which has been covered with Beltech 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.
9. Rumpke shall promptly replace or repair Beltech if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
10. The use and location of Beltech shall be documented in the required Municipal Solid Waste Landfill Daily Log of Operations, Form 3 on each day it is used as ADC material.
11. Photographs from at least two opposing sides of the working face shall be taken each day that Beltech has been applied. All photographs shall be maintained at the Facility and made available to Ohio EPA and Hamilton County Public Health upon request. The photographs shall be marked with the date and time that the photograph was taken along with the name of the photographer, the direction the picture was taken, and a description of the general area in which the photograph was taken.
12. 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 Rumpke 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.

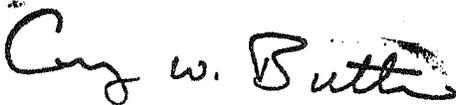
You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The 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:

Mr. John Butler, Senior Site Engineer  
Rumpke Sanitary Landfill, Hamilton County  
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Environmental Review Appeals Commission  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, OH 43215

If you have any questions regarding this authorization, please contact Russ Brown of Ohio EPA, SWDO at (937) 285-6649.

Sincerely,

A handwritten signature in black ink that reads "Craig W. Butler". The signature is written in a cursive style with a large initial "C".

Craig W. Butler  
Interim Director

cc: Russ Brown, DMWM, SWDO  
Larry Riddle, Rumpke Sanitary Landfill Manager  
Tim Ingram, Hamilton County Public Health Commissioner