



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

OHIO E.P.A.

APR 19 2013

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.

APR 19 2013

Jeffrey E. Rumpke, Vice President
Rumpke Sanitary Landfill
10795 Hughes Road
Cincinnati, OH 45251

By: [Signature] Date: 4-19-13

**Re: Rumpke Sanitary Landfill, Hamilton County
Authorization for Temporary Storage for Leachate
OAC Rule 3745-27-19(K)(4)**

Dear Mr. Rumpke:

On April 19, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a request from Jeff Rumpke, Vice President of Rumpke Sanitary Landfill, Inc., (Rumpke) pursuant to Ohio Administrative Code (OAC) Rule 3745-27-19(K)(4), to temporarily store leachate within the limits of waste placement at the Rumpke Sanitary Landfill (Facility), located in Hamilton County. An effect of the heating reaction occurring in the north end of the landfill (North End) is that the gas generated in this area is extremely malodorous. Because Rumpke is required to employ odor control measures at the Facility, it is necessary to continuously collect and flare gas generated from the North End. The flaring of the gas results in approximately 30,000 gallons per day (GPD) of condensate generation.

Metropolitan Sewer District (MSD) notified Rumpke on April 19, 2013 that, because of system by-pass, the hauled leachate from the North End needs to be temporarily shut off and Rumpke must immediately stop discharging hauled leachate. Currently, the Facility's storage tanks are 10% full and the remaining capacity will be used to ensure proper operation of the utility flares and gravity trenches under the Odor Control Blanket on the North End. Rumpke has requested authorization to temporarily store the leachate at the Facility during the period of time that MSD will not accept their leachate.

Based upon review of the request and associated information, I hereby authorize Rumpke Sanitary Landfill in Hamilton County to temporarily store leachate within the limits of waste placement pursuant to OAC Rule 3745-27-19(K)(4). This authorization is subject to the following conditions:

CONDITIONS

1. This authorization to temporarily store leachate within the limits of waste placement shall expire ninety (90) days after the effective date of this authorization.
2. This authorization is limited to situations when MSD notifies Rumpke to temporarily cease discharging liquid at the Rumpke Recycling facility in St. Bernard. These situations include, but are not limited to, POTW plant unavailability, POTW plant bypass due to wet weather, and local odor impacts.
3. This authorization is limited to storage in the North End at Rumpke Sanitary Landfill.
4. Nothing in this authorization shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This authorization shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (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.
5. Issuance of this authorization does not constitute expressed or implied agreement that the operation of the Facility in accordance with this authorization will constitute compliance with applicable state and federal laws, rules, and regulations, nor does issuance of this authorization ensure that necessary operating permits or licenses will be granted.

END OF CONDITIONS

You are hereby notified that this action of the Director of Environmental Protection (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

Mr. Jeffrey E. Rumpke
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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 concerning this letter, please contact Russ Brown of Ohio EPA, DMWM, SWDO at (937) 285-6649.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Nally". The signature is stylized and somewhat cursive.

Scott J. Nally
Director

cc: Scott Hester, DMWM-CO
Russ Brown, DMWM-SWDO