



State of Ohio Environmental Protection Agency

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JAN 23 2002

Received
of
by Zonay Clements 1-23-02
Ohio EPA
Environmental Protection Agency

OHIO EPA
JAN 23 2002
DIRECTOR'S JOURNAL

Mr. Edward Kilbarger, President
Hocking Environmental Company
P.O. Box 946
Logan, Ohio 43138

**Re: San-Lan Landfill, Seneca County
Alternative Daily Cover Approval**

Dear Mr. Kilbarger:

By document dated March 6, 2000, Hocking Environmental Company requested to use Topcoat, manufactured by Central Fiber Corporation, as an alternative daily cover (ADC) material on a permanent basis at the San-Lan Landfill located in Seneca County.

Ohio Administrative Code (OAC) Rule 3745-27-1 9(F)(3) states:

“The director may approve alternative materials 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 comparable protection and is protective of human health and the environment.”

By letter dated July 10, 2001, Ohio EPA issued an approval to use Topcoat at the San-Lan Landfill for a 180-day trial period. During this period, the performance of the ADC material was monitored by Ohio EPA's Northwest District Office and the Seneca County Health Department to determine the material's effectiveness and its ability to function in the manner intended. Additionally; the Mark James Corporation, acting on behalf of Hocking Environmental Company submitted a report detailing the performance of Topcoat as ADC material during the trial period.

Based on the results of Ohio EPA's and the Seneca County Health Department's monitoring and the information contained in the report, we have determined that Topcoat functioned effectively as an ADC material and provided protection comparable to traditional soil cover. Therefore, pursuant to OAC Rule 3745-27-19(F)(3), I hereby authorize Hocking Environmental Company to use Topcoat as an ADC material on an on-going basis at the San-Lan Landfill. This authorization is subject to the following conditions:

1. This authorization is limited to the use of only Topcoat, manufactured by the Central Fiber Corporation, at the San-Lan Landfill. No other ADC material may be used at the landfill without prior authorization from Ohio EPA.

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

2. Hocking Environmental Company shall place Topcoat over exposed waste materials by the end of the working day, or more frequently, if necessary, to control fire hazards, blowing litter, odors, dusts, insects, and rodents.
3. If inclement weather conditions render the placement or use of Topcoat ineffective or otherwise unsatisfactory, Hocking Environmental Company 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, Hocking Environmental Company may apply another ADC material that has been approved for use at the landfill, provided that it is able to perform effectively under the inclement conditions.
4. If Hocking Environmental Company determines that Topcoat is ineffective or otherwise unsatisfactory under normal operating conditions, Hocking Environmental Company shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Hocking Environmental Company may apply another ADC material that has been approved for use at the landfill. Hocking Environmental Company shall verbally notify Ohio EPA's Northwest District Office and the Seneca County Health Department of this action by the end of the next working day and shall submit written notification within 14 calendar days. This notification is not necessary if the use of Topcoat ceases on a temporary basis in accordance with Condition Number 3, above.
5. If Ohio EPA determines that the use of Topcoat is ineffective or unsatisfactory, then this authorization to use the material may be revoked. Upon revocation, Hocking Environmental Company shall immediately cease to use Topcoat as ADC material at the landfill and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Hocking Environmental Company may apply another ADC material that has been approved for use at the landfill.
6. Hocking Environmental Company shall not have more than 30,000 square feet of waste covered with ADC material. This amount represents the maximum area of the landfill that can be covered with ADC at any time. This maximum area applies to the use of Topcoat by itself or in combination with other ADC materials that have been authorized for use at the Facility.
7. Topcoat shall not be used as intermediate or final cover. Any solid waste disposal area that remains inactive for a period of seven days and has been covered with Topcoat shall be covered with at least six inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day.
8. The use and location of Topcoat shall be documented on Form 3 of the required daily logs. This documentation shall also include a map that shows where and when Topcoat was utilized as ADC relative to the working face.

9. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release Hocking Environmental Company 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, the Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants from the facility to the environment.

You are hereby notified that this action of the Director of Environmental Protection 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 ground upon which the appeal is based. It must be filed with the commission within 30 days after notice of the director's action. A copy of the appeal must be served on the director within three days of filing with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

If there are any questions regarding this authorization, please contact Beth Skulina of Ohio EPA's Northwest District Office at (419) 373-3141.

Sincerely,



Christopher Jones
Director

cc: John Pasquarette, DSIWM, NWDO
Scott Hester, DSIWM, Central Office ✓
Seneca County Health Department