



State of Ohio Environmental Protection Agency

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Mr. Mike Imbrock
Henry County Landfill
L-622 Township Road 11
Malinta, Ohio 43535

**Re: Henry County Landfill, Henry County
Alternative Daily Cover Temporary Approval**

Dear Mr. Imbrock:

On February 2, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received your written request for authorization to use sewage sludge and industrial wastewater sludge as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(a) at the Henry County Landfill (Facility) located in Henry County. These materials are solid waste.

OAC Rule 3745-27-19(F)(3)(a) states, "The director may approve solid waste to be used as alternative material for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the solid waste material proposed for use can provide protection 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 solid waste for alternative daily cover prior to utilizing the solid waste."

The sewage sludge is generated from the Leipsic and Ottawa wastewater treatment plants in Putnam County, and the industrial wastewater sludge is generated from Tenneco Automotive in Henry County.

Ohio EPA recognizes that these materials have the potential 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)(a), I hereby authorize the Henry County Landfill to use sewage sludge and industrial wastewater sludge as an alternative to six (6) inches of soil for daily cover at the Facility for a trial period of one hundred eighty (180) days from the effective date of this authorization.

As part of this temporary approval, the Facility owner or operator is subject to the following conditions:

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CONDITIONS

1. This authorization is limited to the use of only sewage sludge from the Leipsic and Ottawa wastewater treatment plants in Putnam County and industrial wastewater sludge from Tenneco Automotive in Henry County (sludges). No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall place one or more of the sludges listed above 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 one or more of the sludges ineffective or otherwise unsatisfactory, the owner or operator 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, the owner or operator may apply another alternative daily cover material that has been approved for use at the Facility, provided that the alternative daily cover material is able to perform effectively under the inclement conditions.
4. If the owner or operator determines that one or more of the sludges is ineffective or otherwise unsatisfactory under normal operating conditions, the owner or operator 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 alternative daily cover material that has been approved for use at the Facility. The owner or operator shall verbally notify Ohio EPA, NWDO of this action by the end of the next working day and shall submit written notification to Ohio EPA, NWDO within fourteen (14) calendar days. This notification is not necessary if the use of the sludges ceases on a temporary basis in accordance with Condition Number 3, above.
5. If Ohio EPA determines that the use of one or more of the sludges is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the material(s) may be revoked upon written notification from the director of Ohio EPA. Immediately upon such revocation, the owner or operator shall cease using the material(s) as alternative daily cover material at the Facility and shall 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 alternative daily cover material that has been approved for use at the Facility.

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6. The Henry County Landfill shall not have more than 30,000 square feet of waste covered with the alternative daily cover material at any one time. This maximum area applies to the use of the sludges alone or in combination with other alternative daily cover materials that the director has authorized to be used at the Facility.
7. The sludges shall not be used as intermediate or final cover. Any solid waste disposal area that remains inactive for a period of seven (7) days, and which has been covered with any of the sludges, 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. Prior to applying the soil cover, the sludges shall be removed or otherwise prepared as necessary prior to the placement of the next layer of waste so as not to impede the flow of leachate to the leachate management system.
8. The use and location of the sludges shall be documented on Form 3 of the required daily logs. This documentation shall also include a map that shows where and when the sludges were utilized as alternative daily cover material relative to the working face.
9. Any sludge brought to the Facility for disposal or use as alternative daily cover material shall be included in the Facility's authorized maximum daily waste receipt (AMDWR).
10. The owner or operator shall collect and remit the applicable local and state solid waste disposal and/or management fees for any sludges disposed at the Facility or used as alternative daily cover material.
11. Not later than one hundred twenty (120) days after the effective date of this approval, the owner or operator shall submit to Ohio EPA, NWDO a report comparing the effectiveness of the sludges to conventional soil cover and other alternative daily cover materials that have been used at the Facility. If, as provided in Condition Number 4 or 5, above, the owner or operator ceases to use the sludges prior to the end of the one hundred eighty (180) day trial period, then the report shall be due not later than thirty (30) days after use ceases. In either situation, the report shall contain, at a minimum, a discussion of the following items:
 - < the number of days each material was used
 - < weather conditions at the time placement of the material(s) was evaluated for effectiveness as daily cover
 - < number of days odors were detected

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- < presence of vectors, rodents, and insects
 - < any increase in blowing litter
 - < method(s) for controlling fire during use of alternative daily cover material.
12. Photographs from at least two opposing sides of the working face shall be taken of the working face after any of the sludges listed above have been applied. The type of alternative daily cover material shall be identified with each photograph. At least four such series of photographs shall be taken for each type of sludge used during the one hundred eighty day (180) trial period. These photographs shall be included in the report required by Condition Number 11, above.
 13. This approval does not include authorization to stockpile the sludges at the Facility. Any sludge received shall either be used as alternative daily cover material at the working face or disposed of by the end of the day on which it was received.
 14. The use of the sludges as alternative daily cover material shall only occur on internal slopes where run-off is directed to the leachate collection system. No drainage from this alternative daily cover material shall enter the surface water management system.
 15. This authorization to use any of the sludges listed above expires one hundred eighty (180) days after its effective date. The owner or operator shall not use any of the sludges as alternative daily cover at the Facility after that date, unless it requests and receives approval for continued use of the materials.
 16. 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 the Facility owner or operator from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code (ORC); 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 of Ohio EPA 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 action complained of and the grounds upon which the appeal is based. It must be filed with the Commission

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within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

In the event that the owner or operator finds the use of any of the sludges listed above to be acceptable and wishes to continue to use the material(s) as alternative daily cover at the Facility, authorization for on-going use beyond the 180-day trial period is required. To avoid having to temporarily discontinue the use of these sludges, Ohio EPA recommends that a request for continued authorization be submitted at least forty-five (45) days prior to the end of the 180-day trial period.

If you have any questions regarding this authorization, please contact Mike Reiser of Ohio EPA, NWDO at (419) 373-3126.

Sincerely,

Christopher Jones
Director

CJ/MM/sw

cc: Mike Reiser, DSIWM-NWDO
Scott Hester, DSIWM-CO
Tim Schumm, Henry County Planning Commission

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Jennette Bradley, Lieutenant Governor
Christopher Jones, Director