



State of Ohio Environmental Protection Agency

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Board of Erie County Commissioners
2900 South Columbus Avenue
Sandusky, Ohio 44870

**Re: Erie County Sanitary Landfill, Erie County
Determination Regarding Use of Lime Kiln Dust (LKD) for Soil Stabilization**

Dear Commissioners:

On April 19, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a request from Brown and Caldwell, Inc., on behalf of the Erie County Commissioners (Erie County). Specifically, Erie County requested to use LKD from Martin Marietta as an alternative to the specified lime product now used for subgrade stabilization at the Erie County Sanitary Landfill.

Ohio EPA has completed a review of the request and has determined that LKD from Martin Marietta may be utilized for "soil stabilization." Use of the LKD in place of lime for soil stabilization at the Erie County Sanitary Landfill, as described in the April 19, 2005, request, will not constitute disposal of a solid waste and will, therefore, not require any specific authorization under Ohio EPA's solid waste regulations, including the Integrated Alternative Waste Management Program.

Please be advised that any uses of the LKD which deviate from the April 19, 2005, request may be construed as disposal of a solid waste and potentially result in violation of Ohio Administrative Code Rule 3745-27-05(A) and Ohio Revised Code Section 3734.03. Please contact Ohio EPA, NWDO if you need regulatory assistance or have questions regarding specific proposed uses.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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If you have any questions or concerns regarding this letter, please contact Jamie Squibb of Ohio EPA, NWDO at (419) 373-3063.

Sincerely,

Joseph P. Koncelik
Director

JPK/MM/sw

cc: Jack Meyers, Erie County Sanitary Engineer
Fred Dubert, Erie County Landfill
Robert Sennish, Erie County Landfill
David Miller, Erie County DOES Coordinator
Mike Nuhfer, Brown & Caldwell, Inc.
Scott Hester, DSIWM-CO
Jamie Squibb, DSIWM-NWDO