



State of Ohio Environmental Protection Agency

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March 22, 2007

John R. Butler
Senior Site Engineer
Rumpke Sanitary Landfill
10795 Hughes Road
Cincinnati, OH 45251

**RE: Rumpke Sanitary Landfill, Hamilton County
Alternative Daily Cover Approval for Black 4-mil Polypropylene Sheeting**

Dear Mr. Butler:

On February 8, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO), received a request for authorization to use black 4-mil polypropylene sheeting as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b) at Rumpke Sanitary Landfill (Facility) located at 10795 Hughes Road in Hamilton County.

OAC Rule 3745-27-19(F)(3)(b) 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."

Ohio EPA has reviewed the information contained in the request and has determined that the black 4-mil polypropylene sheeting has the potential to function effectively as alternative daily cover material and provide protection comparable to six (6) inches of soil as required by OAC Rule 3745-27-19(F)(3)(b). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize the use of black 4-mil polypropylene sheeting as alternative daily cover material at the Facility.

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

CONDITIONS

1. This authorization is limited to the use of only black 4-mil polypropylene sheeting at the Facility. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

2. The owner or operator shall place black 4-mil polypropylene sheeting over exposed waste materials by the end of the working day, or more frequently if necessary, to control fire hazards, blowing litter, odors, dust, insects, rodents, and other vectors. The black 4-mil polypropylene sheeting shall be secured on all four sides by weights or other means necessary to ensure the black 4-mil polypropylene sheeting remains in place.
3. If inclement weather conditions render the placement or use of black 4-mil polypropylene sheeting 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 black 4-mil polypropylene sheeting 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 by Ohio EPA at the Facility. The owner or operator shall verbally notify Ohio EPA, SWDO and the Hamilton County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, SWDO within fourteen (14) calendar days. This notification is not necessary if the use of black 4-mil polypropylene sheeting ceases on a temporary basis in accordance with Condition Number 3, above.
5. If Ohio EPA determines that the use of black 4-mil polypropylene sheeting is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use black 4-mil polypropylene sheeting may be revoked upon written notification from the director of Ohio EPA (Director). Immediately upon such revocation, the owner or operator shall cease using black 4-mil polypropylene sheeting 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.
6. The Facility shall not have more than 43,560 square feet (1 acre) of waste covered with alternative daily cover material at any one time. This maximum area applies to the use of black 4-mil polypropylene sheeting by itself or in combination with other alternative daily cover materials that have been approved for use at the Facility. This 1-acre limitation does not apply to black 4-mil polypropylene sheeting that is used, in areas where a relatively vertical face of drainage/protective layer is exposed, to aid in minimizing infiltration of soil particles into the drainage/protective layer.
7. The owner or operator shall promptly replace the black 4-mil polypropylene sheeting if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.

8. The owner or operator shall not use the black 4-mil polypropylene sheeting 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 black 4-mil polypropylene sheeting 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. In areas where the black 4-mil polypropylene sheeting is used to minimize soil particle infiltration as described in condition 6, above, it may remain in place for longer than seven (7) days, but not to exceed twenty-nine (29) days. Prior to applying the soil cover, the black 4-mil polypropylene sheeting shall be removed or otherwise prepared so as not to impede the flow of leachate to the leachate management system. The owner or operator shall conduct daily inspections to ensure that the material complies with OAC Rule 3745-27-19(F). These inspections shall be documented on the required Municipal Solid Waste Landfill Daily Log of Operations - Form 3 on each day it is used as alternative daily cover material.
9. Nothing in this approval 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 owner/operator from responsibility under Ohio Revised Code Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code; under the Federal Clean Water Act, Resource Conservation and Recovery Act, or 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 (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that the 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:

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

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If you have any questions regarding this authorization, please contact Joleen Cook of Ohio EPA, SWDO at (937) 285-6071.

Sincerely,

Chris Korleski
Director

cc: Russ Brown, DSIWM-SWDO
Timothy Ingram, Hamilton County Health District