



State of Ohio Environmental Protection Agency

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Mr. Robert Sennish
Erie County Department of Environmental Services
P.O. Box 469
554 River Road
Huron, Ohio 44839

**Re: Erie County Sanitary Landfill, Erie County
Alternative Daily Cover Material and Temporary Storage Approvals**

Dear Mr. Sennish:

On April 3, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a request, dated April 2, 2008, for authorization to use composted, aged sewage sludge from the French Creek Wastewater Treatment Plant (French Creek) in North Ridgeville, Lorain County, Ohio, as alternative daily cover material in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(a) at the Erie County Sanitary Landfill (Facility) located in Erie County. The request also proposes to store the composted, aged sewage sludge in a lined portion of the Facility if the material must be removed from French Creek more rapidly than the Facility will be able to utilize it as alternative daily cover material.

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.

In addition, OAC Rule 3745-27-19(E)(7)(e) states in pertinent part, ". . . the owner or operator shall ensure that all waste admitted to the sanitary landfill facility is deposited at the working face, spread in layers not more than two feet thick, and compacted to the smallest practical volume. An alternate method may be used if approved in writing by the director. . ."

On April 9, 2008, Ohio EPA staff visited French Creek to evaluate the suitability of the sewage sludge for use as alternative daily cover material. This evaluation is detailed in narrative and photographic form in Appendix A. Based on the findings of this evaluation, I

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

have determined that the use of French Creek's composted, aged sewage sludge as an alternative material for daily cover has the potential to provide protection comparable to soil cover and be protective of human health and the environment and that temporary storage of the composted, aged sewage sludge is unlikely to cause a significant threat to human health or the environment. Therefore, pursuant to OAC Rules 3745-27-19(F)(3)(a) and 3745-27-19(E)(7)(e), I hereby authorize the use of French Creek's composted, aged sewage sludge as an alternative daily cover material and temporary storage of the material at the Facility.

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

CONDITIONS

1. This approval only authorizes the owner or operator to store and use the composted, aged sewage sludge, as specified in Condition Number 2, for alternative daily cover material at the Facility. No other alternative daily cover material may be used at the Facility without prior authorization from Ohio EPA.
2. The owner or operator shall store and use only the composted, aged sewage sludge from windrows 1, 2, 3, 4, and 5 at the French Creek Waste Water Treatment Plant in North Ridgeville, Lorain County, Ohio, as described in detail in Appendix A of this letter. This approval does not include authorization to store or use the uncomposted sewage sludge in contact with the composted, aged sewage sludge on the north end of windrow 4. The owner or operator shall request that the French Creek Waste Water Treatment Plant label or mark the windrows of composted, aged sewage sludge consistent with the numbering scheme in Appendix A and shall inspect the labels or marks to ensure they are correct.
3. The owner or operator may temporarily store the composted, aged sewage sludge for up to one (1) year from the effective date of this approval. If any composted, aged sewage sludge temporarily stored at the Facility has not been utilized for alternative daily cover at the end of the one (1) year period, the owner or operator shall remove it from the temporary storage location and dispose of it at a licensed solid waste disposal facility.
4. Before the composted, aged sewage sludge may be accepted for storage or use at the Facility, the owner or operator shall develop a Sludge Acceptance and Use Safety Plan (Safety Plan). The Safety Plan shall detail the owner or operator's plan to reduce the possibility of transmission of disease from the composted, aged sewage sludge, due to the potential for cross contamination from the uncomposted sewage sludge, as described in Appendix A. Ohio EPA suggests the Safety Plan include, at a minimum, employee education and training. The Safety Plan shall be submitted to Ohio EPA, NWDO with the notification required by Condition Number 5, below.
5. Not later than three days prior to the initial acceptance of the composted, aged sewage sludge for temporary storage or use as alternative daily cover material at the Facility, the owner or operator shall send written or electronic notification of the anticipated start date to Ohio EPA, NWDO.

6. The owner or operator shall store the composted, aged sewage sludge at the Facility only in a lined area that has leachate collection.
7. The owner or operator shall cover the stored composted, aged sewage sludge with a tarp or other impermeable covering to reduce the production of leachate.
8. When using the composted, aged sewage sludge as an alternative daily cover material, the owner or operator shall place a minimum of six (6) inches of the composted, aged sewage sludge 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, and rodents. Prior to placing additional waste in a disposal area, the composted, aged sewage sludge shall be removed or otherwise prepared as necessary prior to placement of the next layer of waste so as not to impede the flow of leachate to the leachate management system.
9. Any liquid that comes into contact with the composted, aged sewage sludge, either during use as alternative daily cover material or during storage, shall be directed into the leachate collection system.
10. If inclement weather conditions render the placement or use of the composted, aged sewage sludge ineffective or otherwise unsatisfactory as alternative daily cover material, 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.
11. If the owner or operator determines that the composted, aged sewage sludge is ineffective or otherwise unsatisfactory as alternative daily cover material 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. In addition, the owner or operator shall immediately cease temporary storage of the composted, aged sewage sludge and dispose of any remaining stockpile. The owner or operator shall verbally notify Ohio EPA, NWDO of the determination of unsuitability by the end of the next working day and shall submit written notification to Ohio EPA, NWDO not later than fourteen (14) calendar days after the action has been undertaken. This notification is not necessary if use of the composted, aged sewage sludge ceases only on a temporary basis in accordance with Condition Number 10, above.
12. If Ohio EPA determines that the use of the composted, aged sewage sludge is ineffective or otherwise unsatisfactory as alternative daily cover material under normal operating conditions, then permission to use or temporarily store the material may be revoked upon written notification from Ohio EPA. Immediately upon such revocation, the owner or operator shall cease using the composted, aged sewage sludge 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. In addition, the owner or operator shall immediately cease storage of the composted, aged sewage sludge and dispose of any remaining stockpile as directed in the written notification.

13. The owner or operator shall not use the composted, aged sewage sludge as intermediate or final cover.
14. Any composted, aged sewage sludge brought to the Facility for temporary storage, disposal, or use as alternative daily cover material shall be counted toward the Facility's authorized maximum daily waste receipt.
15. Appropriate state and local solid waste fees shall be applied to the composted, aged sewage sludge, regardless of whether it is temporarily stored, utilized as alternative daily cover material, or disposed of in the working face.
16. The use and location of the composted, aged sewage sludge as alternative daily cover material 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.
17. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This letter 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.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

If you have any questions regarding this authorization, please contact Susan Hardy of Ohio EPA, NWDO at (419) 373-3043.

Sincerely,
Chris Korleski
Director

PC: Susan Hardy, DSIWM-NWDO
Clarissa Gereby, DSIWM-NEDO
Chris Moody, DSW-NEDO
Scott Hester, DSIWM-CO
John Sabo, Lorain County Health Department
Robert England, Erie County General Health District
Ann Reid, Erie County General Health District
Donald Daley, City of North Ridgeville