



**Division of Solid and Infectious Waste Management  
Division of Surface Water**

**Response to Comments**

**Project: Proposed National Pollutant Discharge Elimination System (NPDES)  
Discharge Permit for the Stony Hollow Landfill and Proposed Permit  
to Install (PTI) for Stony Hollow Landfill Expansion**

**Ohio EPA ID #: 05-14413 (PTI) and 1IN00245AD (NPDES)**

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Ohio EPA held a public hearing and associated comment period on March 13, 2008 regarding a proposed wastewater permit and a proposed permit to install for the Stony Hollow Landfill. This document summarizes the comments and questions received at the public hearing and during the associated comment period, which ended on March 20, 2008.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. In addition, a number of comments received may not appear below as they were either unrelated to the proposed project; were rhetorical in nature and do not ask for a response; or the comment stated a belief, opinion, or plea but did not voice a question to be answered. Nevertheless, all comments received are part of the official record and have received consideration by Ohio EPA in making a final decision on the issuance of this permit.

## Definition of Solid Waste

**Comment 1:**           **Citizens are concerned that Stony Hollow Landfill is accepting asbestos, and that asbestos is not considered to be hazardous waste under Ohio law.**

Response 1:           While asbestos is considered a hazardous material, it does not meet the definition of a hazardous waste as set by U.S. EPA. Stony Hollow Landfill received approval to accept asbestos for disposal in their original Air permit in January 1995. This activity is regulated by the Division of Air Pollution Control under the authority of a federal rule referred to as the National Emission Standards for Hazardous Air Pollutants. This rule regulates the removal, handling and disposal of many materials including asbestos. A landfill must obtain special approval in the form of a permit to accept asbestos for disposal. The permit obligates landfills to employ special procedures and precautions for handling and disposal to ensure protection of human health and the environment. It should also be noted that asbestos is not a hazardous wastes. More information regarding hazardous waste is included in response #2.

**Comment 2:**           **Citizens are concerned that Ohio EPA's definition of solid waste that may be disposed of in a landfill includes some hazardous substances.**

Response 2:           Many items that are hazardous materials, such as asbestos, are not considered to be hazardous wastes under the law. Hazardous waste is defined by U.S. EPA as being either a listed waste or having one of the following four characteristics:

1. Ignitability
2. Corrosive properties
3. Reactive properties
4. Toxicity

More information on the definition of hazardous waste, along with the listed hazardous wastes may be found online at: <http://www.epa.gov/epaoswer/hazwaste/id/id.htm>. Citizens with further questions should contact Ohio EPA Division of Hazardous Waste at (937) 285-6357.

Federal law treats hazardous wastes generated by industry differently than wastes generated by a household. Hazardous wastes generated by industry must be taken to an approved hazardous disposal facility. Many household items, such as

pesticides, cleaners and paint, meet the criteria to be a hazardous waste. The law allows homeowners to dispose of these hazardous wastes in sanitary landfills. While modern landfills are designed to safely accept these products, homeowners have the option to take these substances to a local household hazardous waste collection day. For further information, please contact Montgomery County Solid Waste District at (937) 225-4999.

### Public Records Requests

**Comment 3: Citizens feel that public records for this landfill are inaccessible for working people and hard for laypeople to understand.**

Response 3: Citizens who are unable to view documents during working hours may make requests for specific items and arrangements will be made for them to receive the material by mail. Ohio EPA is glad to answer any clarifying questions that citizens need to ask in order to understand the documents. To make arrangements to view and/or receive copies of public documents, please contact Sally Brown at 937-285-6357.

### Impacts From Neighbouring Facilities

**Comment 4: Citizens are concerned that Ohio EPA did not consider community impacts from pollution from the dump across the street from Stony Hollow landfill when deciding whether to grant a permit.**

Response 4: Ohio EPA believes that the commenter is referring to SRI Inc., which is a construction and demolition debris (C&DD) landfill. SRI and Stony Hollow are not associated with one another. C&DD landfills in Montgomery County are under the primary oversight of Public Health – Dayton and Montgomery County (PHDMC).

Ohio EPA does not consider cumulative impacts from nearby facilities as part of a solid waste permit, but Stony Hollow also has permits from Ohio EPA Division of Air Pollution Control and Division of Surface Water which do take into account other sources of pollution in the area.

**Comment 5: A citizen is concerned about the noise pollution from the SRI C&DD landfill and that the only oversight for noise pollution is a City of Dayton ordinance.**

Response 5: The commenter is correct that Ohio EPA does not have oversight of noise pollution complaints and that these are best addressed to the City of Dayton.

### Environmental Justice

**Comment 6:** A commenter expressed the opinion that Ohio EPA chose this community as the location for Stony Hollow landfill because it is a poor community.

Response 6: Ohio EPA does not decide where landfills will be located. The applicant chooses the location in accordance with Ohio EPA siting criteria and local ordinances. Ohio EPA's siting criteria are based on environmental factors and are designed to be protective of human health and the environment. These criteria include soil type, distances from groundwater, well fields, and other water resources, setbacks from certain recreation and natural areas and setbacks from houses.

**Comment 7:** Citizens are upset that this expansion will allow Stony Hollow Landfill to remain open for several more years. They had understood that Stony Hollow would reach capacity before this time and would be closed by now.

Response 7: A solid waste permit allows a specific volume for waste placement. The permitted volume is often called the landfill's air space. The operating life of a landfill is based upon the amount of air space available to be filled with waste. Sometimes the lifespan is discussed in terms of years, based upon the amount of waste that the landfill expects to receive and the maximum amount of waste that they are authorized to take in per day, but this is just an estimate of how long the landfill will remain open. A good faith effort is made to accurately determine what these numbers will be, but the waste industry is fluid and no one can predict actual waste volume.

The amount of waste that a landfill takes in can change. In the case of Stony Hollow, they are currently taking in less than their maximum daily allowance. Taking in less waste per day means that the landfill does not fill up as quickly and will remain open longer.

Although the landfill is expanding laterally into 9.8 additional acres, their permit modification allows them less vertical air space in order

to comply with local zoning (PD69). The modified permit is for 677,428 cubic yards less volume than the previous permit.

### Water Quality Concerns

**Comment 8: Citizens have concerns that ground water will be properly monitored.**

Response 8: Waste Management is required to submit the results of water sampling to Ohio EPA twice a year. Ohio EPA also does inspections of the ground water monitoring system every three years to ensure compliance with ground watering rules. At that time, Ohio EPA takes water samples alongside the company and sends them to our laboratory. When the sample results are returned, they are compared with the results that the company submits. This ensures truth in reporting.

**Comment 9: Citizens expressed concern about the safety of their tap water.**

Response 9: Ohio EPA, as part of siting, looks at water resources within 1000 feet of the facility. All people living in this area receive their tap water from City of Dayton, not from local groundwater. Tap water from the City of Dayton comes from the Dayton well fields, which are not near Stony Hollow Landfill. In addition, the water is treated at the Dayton Water Treatment Plant. Concerns about drinking water should be addressed to the Dayton Water Department.

**Comment 10: A citizen would like an engineering description of how the ground water monitoring wells around Stony Hollow Landfill work and an explanation of how the monitoring is adequate to protect the aquifer.**

Response 10: The well system at the Stony Hollow landfill was engineered based on analysis of the soil, ground water and bedrock across the property. Soil and rock samples, known as borings, were taken to find out conditions under the surface of the earth, and Ohio EPA looked at the potential site in relation to nearby surface and ground water as well. This examination was part of the siting investigation for the landfill. Based on this information, the well system was designed to be protective of human health and the environment.

The well system was constructed in accordance with Ohio law, which requires that enough wells are installed at appropriate

locations and depths within the uppermost aquifer and sufficient zones of saturation that should movement of contaminants from the landfill occur, it can be detected and the problem fixed as soon as possible. Furthermore, these wells must be capable of determining ground water quality directly down-gradient (down stream) of where waste is placed, and ensure detection of any contaminant that could be released from the facility.

Based on these requirements, the monitor wells were placed strategically at appropriate depths around the landfill boundary, taking into account the natural movement of ground water. The locations of the wells are on landfill property and near to where the waste is placed in the landfill to detect any contaminants as quickly as possible and before they reach off-property ground water. This ensures that if contamination is found, it can be stopped from entering off-property ground water.

Once installed, ground water monitoring is required while the landfill is operating and for at least another 30 years after it closes. Any potential contaminant release from the landfill during this period will be detected and remedied before contamination can spread beyond the facility property.

Although two current monitoring wells will be abandoned as part of the facility expansion, they are replaced by three new wells which will be placed near the new area of waste disposal. These locations are specified in the permit application.

**Comment 11:** **A citizen is concerned that, while he does not get potable water from the well on his property, he does use that well to fill his swimming pool. He would like to see any ground water monitoring reports for the landfill.**

**Response 11:** Based on the address given by the citizen, Ohio EPA believes that the commenter lives about a half mile northwest of the Stony Hollow Landfill. Ground water under the landfill generally flows southeast, away from the commenter's residence and toward the landfill. Other events such as nearby construction or seasonal changes may cause water quality changes over time. Ohio EPA Division of Drinking and Ground Water is willing to discuss these concerns further. Please contact Rich Bendula at (937) 285-6452.

Ground water monitoring reports from Stony Hollow Landfill are regularly sent to the PHDMC and to Ohio EPA's Dayton office. All reports are available for public review. Please see response

number three for information regarding requests for Ohio EPA records.

**Comment 12:**      **Citizens are concerned that an expanded landfill will mean increased runoff volumes, thereby flushing harmful pollutants to downstream communities.**

Response 12:      The runoff volume from Stony Hollow will remain approximately the same. All runoff from the site is currently directed to the settling pond prior to discharging to the Great Miami River and this will remain the case.

This pond will only be receiving runoff from the exterior of the landfill; it will not be receiving any water that has been in contact with waste. The discharge that is authorized by this permit is the result of rainfall and the amount will vary with each rain event. The current sedimentation pond was designed to handle up to a 100 year design storm.

The only pollutant of concern in this discharge is suspended soil. The settling pond is intended to remove these soil particles before the water leaves the site. There should be no trash or other material that would cause odor in the discharge when it leaves Stony Hollow.

#### Nuisance Complaints

**Comment 13:**      **Citizens are concerned that there will be additional blasting done as part of this landfill expansion.**

Response 13:      Due to the small size of this expansion, Waste Management does not plan to use blasting.

**Comment 14:**      **A citizen would like to know the components of the dust that they see on the leaves of their garden plants. They believe that this dust is being generated by the landfill.**

Response 14:      Dust near the landfill is primarily road dirt from truck traffic both inside and outside of the landfill. Road dirt is primarily composed of very fine quartz and sand. Regional Air Pollution Control Agency (RAPCA) conducts dust surveillance on the route, and Stony Hollow is required to water the roads to keep the dust to a minimum. Citizens with additional questions or concerns should contact Jeff Canan of RAPCA at (937) 225-5934.

**Comment 15: Citizens are concerned about odors, birds and disease carrying vermin associated with the landfill.**

Response 15: Ohio law allows the director of Ohio EPA to issue permits with such terms and conditions as he finds necessary to protect public health and the environment. This section of the law only addresses those nuisances that may endanger public health or safety. Waste Management is required under their permit to reduce nuisances such as odors, birds and vermin.

Stony Hollow Landfill controls nuisances such as birds and vermin in several ways. Waste Management keeps the working face of the landfill small in order to minimize the amount of waste that could attract vermin. They also use a daily cover of soil or tarps to keep vermin and birds away to prevent the landfill from attracting these animals. Waste Management also uses bird cannons to scare away birds.

Odors are considered a nuisance, but not a primary health threat. Ohio EPA acknowledges that odors will be present at sanitary landfills. Proper operation of the landfill should minimize odors. If the landfill is creating nuisance conditions, this should be reported to PHDMC by calling (937) 225-5700.

#### Comments from Waste Management

**Comment 16: Condition 12b states that to ensure proper operation of sedimentation pond(s), the pond(s) shall be cleaned out completely annually or more frequently if the volume of the settled particles necessitates cleaning based either on the inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(D)(3). Waste Management has requested changing this condition to require less frequent clean out of the pond.**

Response 16: Under PTI 05-5457 (issued January 25, 1995), a similar condition instructed Stony Hollow to clean out the sedimentation pond whenever the sediment reached a designated level in the pond, or when the volume of settled particles necessitated cleaning based upon inspection results or to maintain storage volume. The sedimentation pond sizing calculations were based upon a larger facility that was not built due to zoning. This small lateral modification had no effect on the sizing of the sedimentation pond.

It is the opinion of Ohio EPA that Stony Hollow has proven through its operations that it is able to maintain the sedimentation pond with a cleanout frequency of less than once per year.

End of Response to Comments.