



MATTHEW G. BEVIN
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SECRETARY

ENERGY AND ENVIRONMENT CABINET
Department for Environmental Protection

AARON B. KEATLEY
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

May 9, 2018

Mr. Joseph Santangelo, Environmental Compliance Manager
Advanced Disposal Services
1184 McClellandtown RD
McClellandtown, PA 15458

RE: Corrective Action Plan Approval
Blue Ridge Landfill
2700 Winchester Road
Irvine, KY 40336
Agreed Order # DWM – 160048
AI # 998
Permit # 033-00004

Dear Mr. Santangelo,

The Kentucky Division of Waste Management (KDWM) personnel have completed review of the revised Corrective Action Plan submitted by Gradient on behalf of Advanced Disposal Services Blue Ridge Landfill, on November 17, 2018 and all comments submitted to the Cabinet thereon.

The Corrective Action Plan (CAP) with its addenda conducted a preliminary screening and evaluation of a number of remedial technologies to address the BES waste. The CAP then included a detailed analysis and comparative risk assessment for two remedial alternatives: Alternative 1: Closure-in-Place with Monitoring, and Alternative 2: Excavate and Redispose BES Waste. Based on the comparative analysis and risk assessment and on the criteria established in the agreed order, the CAP indicated the preferred alternative was Alternative 1: Closure-In-Place with Monitoring.

KDWM, with assistance from the Cabinet for Health and Family Services and Jim Berger, a Certified Health Physicist (CHP) with Advanced Technologies and Laboratories International, (ATL), Inc. (an outside technical expert KDWM retained), reviewed the CAP, its addenda, subsequent revisions, the associated correspondences between the agency and the company/consultants, and comments submitted by interested parties. KDWM has determined that either alternative would likely meet the regulatory standards of long-term protectiveness, but



agrees that the CAP's preferred alternative provides the greatest short-term protectiveness to human health and the environment. The CAP, its addenda, the associated correspondences, and KDWM's responses to all of the comments received (attached hereto) support KDWM's decision to issue approval of your plan. Please note, however, approval is subject to the following conditions:

- 1) Sections 2.5.1 and 4.2.1 of the CAP shall be amended to state that the Radionuclide Sampling Plan, i.e., groundwater monitoring plan shall require monitoring for radionuclides following landfill closure, during the 30-year post-closure period. This modification will be made to the solid waste landfill permit monitoring requirements as well.
- 2) Section 4.2.1 of the CAP shall be amended to state that future use of the landfill property shall be controlled to limit potential exposure, and to protect human health and the environment, by placing appropriate land use restrictions on the landfill property once the landfill enters the 30-year post-closure period and pursuant to applicable law at the time the post-closure period begins. The restrictions will run with the land and will include no residential use, no groundwater use for drinking water purposes, and no disturbance of the cap within the permitted waste boundaries.
- 3) The following sections shall be amended to include references to the IRMP and/or the interim cap as part of the overall remedy
 - a. Page 2 of the Executive Summary discussing alternative 1.
 - b. The last paragraph of Section 6.3.2 discussing alternative 1.
 - c. The second paragraph of Section 7 discussing alternative 1.
- 4) The portion of Section 4.2.1 discussing the final cover should include a reference to 401 KAR 48:090 Section 3(2)(b).
- 5) Include the Estill County Solid Waste Coordinator and the Estill County Health Department Environmentalist in the list of emergency contacts listed in CAP, Attachment C: Radiation Screening and Monitoring Plan.
- 6) That the CAP with the required amendments above, CAP addenda, all pertinent supporting documentation (i.e. Cabinet comments and clarification/response correspondences), and any other corrections or clarifications shall be compiled into a single, comprehensive report submitted to KDWM. Please label this report "Final Corrective Action Plan" with the date of submission.
- 7) That all plans required to be developed by the CAP (i.e. Radionuclide Sampling Plan, Interim Remedial Measures Plan, are submitted for review prior to implementation.
- 8) That necessary corresponding permit modifications are made in accordance with Kentucky regulations governing permit modification.

Advanced Disposal Services

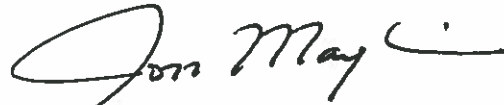
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Please submit the Final Corrective Action Plan as described in paragraph 6 within thirty (30) days of this letter. Please submit the Radionuclide Sampling Plan and Interim Remedial Measures Plan (IRMP) within ninety (90) days of this letter.

If you have any questions, please feel free to contact Tim Hubbard at (502) 782-6660 or at Tim.Hubbard@ky.gov. For permit modification questions, please contact Danny Anderson, Solid Waste Branch Manager at Danny.Anderson@ky.gov.

Sincerely,

A handwritten signature in black ink that reads "Jon Maybriar". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jon Maybriar, Director
Division of Waste Management

cc: Tim Hubbard, PG SFB
Danny Anderson, Manager SWB
Jeffery Cummins, Director DENF
Hon. Daniel Cleveland, OLS
Hon. Phil Comella, Attorney
Kurt Herman, M.Eng, PG, Gradient