



**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor  
**Laurie A. Stevenson**, Director

April 3, 2020

Kathy Trent  
NWRA-Ohio Chapter, Chairperson  
Stony Hollow Landfill  
2460 Gettysburg Road  
Dayton, Ohio 45417

Peggy Macenas  
NWRA-Midwest, Vice President  
115 East Ogden Avenue  
Suite 117-313  
Naperville, Illinois 60563

**RE: Request for extension of solid waste reporting deadlines due to COVID-19**

Ohio EPA received your March 20 letter on behalf of the National Waste & Recycling Association (NWRA) requesting temporary regulatory flexibility in complying with certain reporting requirements due to operational and staffing issues resulting from the coronavirus (COVID-19) state of emergency in Ohio.

With the onset of COVID-19 and the Governor's declaration of a state of emergency in Ohio, Ohio EPA is aware that regulated entities may be impacted from a reduced workforce necessary to maintain normal operations at some facilities. All regulated entities remain obligated to take all available actions necessary to ensure compliance with environmental regulations and permit requirements to protect the health and safety of Ohioans and the environment. However, in the instance where regulated entities will have an unavoidable noncompliance situation, directly due to impact from the coronavirus, Ohio EPA will evaluate providing regulatory flexibility, where possible, to assist entities in alternative approaches to maintaining compliance, such as extending reporting deadlines and exercising enforcement discretion.

In addition to the March 20 letter, Ohio EPA and NWRA have had a number of conversations on the details of the request. The NWRA has specifically requested consideration of extending reporting deadlines and monitoring requirements that, while important to demonstrate long-term environmental compliance, are not critical to the immediate public health and safety needs of Ohio's citizens. Specifically, the NWRA has requested extending the deadline for an additional 90 days for reporting requirements, including:

- Annual facility reports for operating facilities (originally due on April 1)
- Annual updates of facility operating records (originally due on April 1)

- Annual post-closure care reports (originally due on April 1)
- Routine groundwater monitoring and reporting

In addition, the NWRA has requested that, due to lack of administrative support personnel at facilities, temporary relief be granted to obtain an “original signature” or “notary” associated with various documents or reports submitted to Ohio EPA.

The Division of Materials and Waste Management has reviewed this request and has determined that it is appropriate to provide an extension to the reporting requirements as identified above, including temporary relief from original signature and notary requirements.

This authorization does not grant regulatory relief from any monitoring, operational and management functions directly related to maintaining protection of public health and the environment, including explosive gas monitoring and management, leachate management, and other operational practices necessary to protect the public and environment. This letter does not provide authorization for increases in an operating landfill’s Authorized Maximum Daily Waste Receipt (AMDWR) limits, nor does it allow for acceptance of materials at solid waste landfills subject to current disposal bans, such as yard waste or scrap tires. This letter does not provide a waiver from payment of solid waste fees.

This authorization is not applicable to landfill operations that are currently under enforcement orders that have specific reporting and monitoring requirements. These entities must consult with Ohio EPA directly to discuss their specific requests and options to address these requests through Ohio EPA, the Ohio Attorney General’s Office and/or local court.

Ohio EPA appreciates the leadership shown in the solid waste industry to help find ways to address the safe management of solid waste under the very challenging and difficult circumstances related to the COVID-19 state of emergency. As the industry identifies additional needs, Ohio EPA will continue to work with you in supporting your critical operational functions for the health and safety of all Ohioans.

If you have any questions regarding this letter, please contact me at 614-728-0017.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vladimir Cica". The signature is fluid and cursive, with a large initial "V" and a distinct "C" at the end.

Vladimir Cica, P.E.

Chief, Division of Materials and Waste Management