

**From:** [HALE, JOHN](#)  
**To:** [Bruce Schmucker CFL](#)  
**Cc:** [Robert Lee CFL](#); [Matt Lee CFL](#); [aromig@psrb.com](mailto:aromig@psrb.com); [Terri.Czajka@icemiller.com](mailto:Terri.Czajka@icemiller.com); [Mcclure, Amy](#); [Lashbrook, April](#)  
**Subject:** RE: Clark-Floyd Landfill (FP10-01) - Solid Waste Permit Renewal  
**Date:** Thursday, April 16, 2020 11:53:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image003.png](#)

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Bruce, thank you for your email. Upon review of the specific reasons you gave for being delayed by the COVID-19 pandemic, including delayed public meetings of local governments needed to approve parts of your response, and how completion of some of your response is slowed by the inability to personally meet with your consultants and others due to COVID-19 stay-at-home requirements, your request to extend the deadline for submitting your response to our February 17, 2020 notice of insufficient response (NOIR) (VFC #82916062) to June 16, 2020, is approved.

Please contact me if you have any questions.

### **Coping with COVID-19:**

- **Indiana State Dept. of Health (ISDH) COVID-19 Call Center: Call 877-826-0011 (open 24/7)**
- **Anthem NurseLine: Call 800-337-4770 or visit the Anthem NurseLine online for a FREE symptom screening. Available to anyone with an Anthem health plan (this includes State of IN employees)**
- **Anthem Employee Assistance Program (EAP): Available to ALL state employees and adults in household regardless of health plan participation. Call 800-223-7723 or visit [anthemeap.com](http://anthemeap.com) (enter State of Indiana) for crisis counseling, help finding child/elder care, legal/financial consultation and much more.**



John Hale  
Senior Environmental Manager | SW Permits Section  
Permits Branch | Office of Land Quality  
Indiana Department of Environmental Management

(317) 232-8871 | [jhale@idem.IN.gov](mailto:jhale@idem.IN.gov)



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**From:** Bruce Schmucker CFL [mailto:[bschmucker@clarkfloydlandfill.com](mailto:bschmucker@clarkfloydlandfill.com)]  
**Sent:** Wednesday, April 08, 2020 2:53 PM  
**To:** HALE, JOHN <[JHALE@idem.IN.gov](mailto:JHALE@idem.IN.gov)>  
**Cc:** Robert Lee CFL <[rlee@clarkfloydlandfill.com](mailto:rlee@clarkfloydlandfill.com)>; Matt Lee CFL <[mlee@clarkfloydlandfill.com](mailto:mlee@clarkfloydlandfill.com)>; [aromig@psrb.com](mailto:aromig@psrb.com); [Terri.Czajka@icemiller.com](mailto:Terri.Czajka@icemiller.com); [Mcclure, Amy](mailto:Mcclure, Amy) <[AMcclure@idem.IN.gov](mailto:AMcclure@idem.IN.gov)>; [Lashbrook, April](mailto:Lashbrook, April) <[alashbro@idem.IN.gov](mailto:alashbro@idem.IN.gov)>  
**Subject:** RE: Clark-Floyd Landfill (FP10-01) - Solid Waste Permit Renewal

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John:

In response to your email below and as a follow-up to our telephone call last week which led to our email request to IDEM. The Clark-Floyd Landfill received a Request for Additional Information (RAI) from IDEM, dated February 17, 2020 to gather additional information for IDEM to act on the pending solid waste permit application, initially dated July 30, 2018. This most recent RAI combined many separate CFL submittals to IDEM into one set of comments. The CFL submittals included but not limited to:

1. CFL Sediment basin 1 Construction Completion Report, dated November 26, 2019
2. CFL's Stormwater Pollution Prevention Plan (SWP3), dated August 30, 2019
3. CFL's Leachate System Improvements Insignificant Modification Request, dated August 23, 2019
4. CFL Response to IDEM RAI for Solid Waste Permit renewal, dated September 26, 2019
5. CFL's Semi-Annual Groundwater Monitoring Reports, dated August 2019 and February 2020 (respectively)

The most recent RAI document requires the coordination of many separately submitted CFL documents into one coordinated response document with orchestration of five separate consultants, and three separate local governments, two of which (Clark and Floyd Counties) must review and approve the proposed response document and vote on it at a public meeting. As IDEM is hopefully aware, most states have ordered their populations to shelter in-place except for essential services. Therefore local governments have postponed public meetings until sometime in the future. Local governments are uncertain when public meetings will be conducted again. IDEM requires the document be approved and certified by the owners of the landfill, Clark and Floyd Counties, and this can not be achieved until after the Counties begin to conduct public meetings. In addition, the four consulting companies' personnel are all working virtually from their homes and coordinating document preparations via telephone and email (and have been doing so for a significant amount of the time IDEM gave us to prepare the responses); this is substantially slowing collaborative efforts in document completion, which would normally be facilitated with in-person meetings given the complexities of these issues.

Further, one the IDEM comments has requested a letter from the City of Columbus to confirm their willingness to accept CFL's leachate in the case that the City of Jeffersonville can no longer accept the landfill's leachate for disposal. All such requests are being handled very slowly.

For these reasons, an extension is necessary to allow the finalization and approval of the proposed response document to IDEM and to fully address the comments.

Please feel free to contact the undersigned if additional questions are warranted.

Sincerely,

Bruce O. Schmucker, P.E.

Vice President of Engineering & Environmental Affairs

Clark-Floyd Landfill, LLC  
6108 Sable Mill Court  
Jeffersonville, IN 47130

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**From:** HALE, JOHN [<mailto:JHALE@idem.IN.gov>]  
**Sent:** Friday, April 3, 2020 2:43 PM  
**To:** Bruce Schmucker CFL <[bschmucker@clarkfloydlandfill.com](mailto:bschmucker@clarkfloydlandfill.com)>  
**Cc:** Robert Lee CFL <[rlee@clarkfloydlandfill.com](mailto:rlee@clarkfloydlandfill.com)>; Matt Lee CFL <[mlee@clarkfloydlandfill.com](mailto:mlee@clarkfloydlandfill.com)>; [aromig@psrb.com](mailto:aromig@psrb.com); [Terri.Czajka@icemiller.com](mailto:Terri.Czajka@icemiller.com); McClure, Amy <[AMcclure@idem.IN.gov](mailto:AMcclure@idem.IN.gov)>; Lashbrook, April <[alashbro@idem.IN.gov](mailto:alashbro@idem.IN.gov)>  
**Subject:** RE: Clark-Floyd Landfill (FP10-01) - Solid Waste Permit Renewal

Bruce, thanks for your email. We would like more detail on what specific parts of the NOIR you can't address before the current deadline, and specifics on how the COVID-19 outbreak has blocked the services, supplies, and other things you need to complete each of those parts of your NOIR response. We understand the impact of COVID-19 from how it has affected our work, but that doesn't eliminate the need to continue to conduct our efforts at environmental protection in as normal a way as possible.

Please reply by COB next Thursday, April 10. Have a great weekend, and be safe.

**Coping with COVID-19:**

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**From:** Bruce Schmucker CFL [<mailto:bschmucker@clarkfloydlandfill.com>]  
**Sent:** Friday, April 03, 2020 12:40 PM  
**To:** HALE, JOHN <[JHALE@idem.IN.gov](mailto:JHALE@idem.IN.gov)>  
**Cc:** Robert Lee CFL <[rlee@clarkfloydlandfill.com](mailto:rlee@clarkfloydlandfill.com)>; Matt Lee CFL <[mlee@clarkfloydlandfill.com](mailto:mlee@clarkfloydlandfill.com)>; [aromig@psrb.com](mailto:aromig@psrb.com); [Terri.Czajka@icemiller.com](mailto:Terri.Czajka@icemiller.com)  
**Subject:** Clark-Floyd Landfill (FP10-01) - Solid Waste Permit Renewal

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John:

Thank you for your time yesterday to discuss Clark-Floyd Landfill's permit renewal application and subsequent IDEM RAI's. As you and I discussed the deadline to respond to the response to IDEM's Insufficient Response to Request for Additional Information is due on April 17th. Due to the national crisis with Covid-19, many entities can not have meetings, and we are therefore having difficulty completing the requests. We ask for a 60 day extension, or through Tuesday, June 16, 2020 to respond. CFL's attorney has been in communication with the Counties' attorney and we understand that they are in agreement to ask for such an extension, and are copied on this email.

We look forward to hearing from IDEM on this matter.

Be Safe.

Sincerely,

Bruce O. Schmucker, P.E.  
Vice President of Engineering & Environmental Affairs

Clark-Floyd Landfill, LLC  
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