



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

DEC -5 2014

ENTERED DIRECTOR'S JOURNAL

DEC 05 2014

Hardin County Commissioners
One Courthouse Square
Suite 100
Kenton, Ohio 43326

Re: Hardin County Commissioners
Director's Authorization
Approval
Municipal Solid Waste Landfills
Hardin County
MSWL019415

**Subject: Hardin County Landfill, Hardin County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Commissioners:

On October 6, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a request prepared by Civil & Environmental Consultants, Inc., on behalf of Hardin County Board of Commissioners (Commissioners), pursuant to OAC Rule 3745-27-13, to regrade and enhance the cap system, and for other site improvements at the closed Hardin County Landfill (Facility). Pursuant to OAC Rule 3745-27-13, the Facility must receive approval from the Director of Ohio EPA (Director) before engaging in filling, grading, excavating, building, drilling, or mining on land where a solid waste facility was operated.

The application included plan sheets and a narrative that discussed all information required in OAC 3745-27-13(E). This authorization is being pursued in order to regrade and enhance drainage of the final cover system by adding more soil, grading, and re-establishing vegetative cover.

Based upon a review of the request, I have determined, pursuant to OAC Rule 3745-27-13, that the proposed activities, if conducted in accordance with the request and the following conditions, will not result in a violation of applicable laws or regulations, will not create a nuisance and are unlikely to adversely affect the public safety or health or the environment. Therefore, the Commissioners are hereby authorized to perform the activities outlined in this letter in accordance with plans, specifications, and information submitted as part of this request.

As part of this authorization, you are subject to the following conditions:

CONDITIONS

1. This approval grants authorization to perform activities at the Facility in accordance with the request titled "OAC Rule 3745-27-13 Request, Landfill Cap Enhancement and Site Improvement Activities at the Hardin County Landfill, Hardin County, Ohio," received on October 6, 2014. All activities shall be conducted in strict accordance with the plans, specifications, and other information submitted as part of this request. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities at the Facility may require additional Ohio EPA approval.
2. The Director, or a representative authorized by the Director, may enter the Facility at any time to make inspections, conduct tests, or examine records and reports pertaining to the authorized activities.
3. Ohio EPA, NWDO, DMWM, shall be notified in writing at least seven (7) calendar days prior to the initiation of the activities outlined in the request.
4. All on-site activities shall be accomplished in compliance with all applicable state and federal laws and regulations pertaining to environmental protection, including but not limited to the control of air pollution, leachate, surface water run-on and run-off, and protection of ground water.
5. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
6. Any solid and/or hazardous wastes to be removed from the Facility shall be containerized and securely stored until these materials are properly characterized and disposed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the regulations promulgated thereunder.
7. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 that are removed during any intrusive activities shall be containerized and securely stored until these materials are properly characterized and disposed in accordance with ORC Chapter 6111 and the regulations promulgated thereunder.
8. Prior to any disposal of waste or contaminated soil from the Facility, the Commissioners shall submit copies of sample analysis results, the treatment or disposal method selected, and a letter of acceptance from the treatment or disposal facility to Ohio EPA, DMWM, NWDO pursuant to OAC Rule 3745-27-13(H)(4).
9. The Commissioners shall take measures to control fugitive dust and other air emissions that may result from activities authorized by this action.

10. Upon completion of filling, grading, excavating, building, drilling, or mining activities at the Facility, the Commissioners shall restore the condition of the Facility cap in accordance with the appropriate provisions of ORC Chapter 3734 and the rules promulgated thereunder, as were applicable at the time the Facility originally submitted certification of closure, or the rules the Facility was required to close under if certification was never submitted.
11. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if the Facility has not begun the activities authorized herein.
12. Not later than sixty (60) days after completing the activities authorized through this approval, the Commissioners shall submit to Ohio EPA, DMWM, NWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
13. The Director may revoke this authorization if the Commissioners violate, or are likely to violate, any applicable law or if the continued implementation of the approved plans may cause a threat to human health or safety or the environment.
14. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This authorization shall not be interpreted to release the Commissioners or others from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control 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.

END OF CONDITIONS

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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:

Environmental Review Appeals Commission
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions or concerns in regard to this matter, please contact Habib A. Kaake at Ohio EPA, NWDO at (419) 373-3073.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig W. Butler". The signature is fluid and cursive, with the first name "Craig" being the most prominent.

Craig W. Butler

Director

enclosure

cc: Scott Hester, DMWM, CO
Kristin Tillison, DMWM, NWDO
Habib Kaake, DMWM, NWDO
Mike Smith, Hardin County Engineer