



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

OHIO E.P.A.
NOV 20 2015

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Ms. Sue Vance
Butler County Water and Sewer Department
130 High Street
Hamilton, Ohio 45011

RE: Woodsdale Road Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Butler County
MSWL020764

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

Dear Ms. Vance:

On October 14, 2015, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO), received a request from the Butler County Water and Sewer Department (BCWS) to conduct activities on the closed Woodsdale Road Landfill (Facility) in Butler County. The request was prepared and submitted by BCWS on behalf of the Butler County Commissioners (BCC), the owner of the Facility, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13.

OAC Rule 3745-27-13 requires authorization 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. Specifically, BCWS is requesting to raise the height and extend two (2) existing U-shaped firing range berms by adding clean soil to them; construct a new, smaller U-shaped earthen berm between the two (2) existing U-shaped earthen berms, connecting them and creating an additional shooting area; construct two (2) new, small earthen berms to shield the magazine (ammo storage) area and other surrounding areas; and improve overall site drainage through general grading efforts. Upon approval, a contractor will be selected to perform all of the site work associated with this project.

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, BCC and/or its representative is hereby authorized to perform the activities outlined in this letter in accordance with the submitted and approved plans, specifications, and information.

As part of this authorization, BCC is subject to the following conditions:

CONDITIONS

1. This approval grants BCC and/or its representative authorization to perform activities at the Facility in accordance with the document titled "Authorization 13: Request for approval for activities at Woodsdale Road Sanitary Landfill in Butler County," dated October 8, 2015 and received October 14, 2015. All activities shall be conducted in strict compliance 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. Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, BCC shall submit written notification, which specifies the anticipated date of work commencement, to Ohio EPA, DMWM, SWDO.
3. BCC and/or its appointed representative shall allow access to the Facility to the Director or a representative authorized by the Director at any time to make inspections, conduct tests, or examine records and reports pertaining to the authorized activities.
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 on-site activities shall be performed in a manner that prevents migration of leachate, explosive gas, or toxic gas from the Facility.
6. BCC and/or its appointed representative shall take measures to control fugitive dust and other air emissions that may result from activities authorized through this approval.
7. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
8. Any solid and/or hazardous waste to be removed from the Facility shall be containerized and securely stored until these materials are properly characterized and disposed of in accordance with Ohio Revised Code (ORC) Chapter 3734 and the regulations promulgated thereunder.
9. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 that are removed during intrusive activities shall be containerized and securely stored until these materials are properly characterized and

disposed of in accordance with ORC Chapter 6111 and the regulations promulgated thereunder.

10. Prior to any disposal of waste or contaminated soil from the Facility, BCC and/or its appointed representative 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, SWDO in accordance with OAC Rule 3745-27-13(H)(4).
11. Not later than sixty (60) days after completing the activities authorized through this approval, BCC shall submit to Ohio EPA, DMWM, SWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
12. BCWS shall take measures to minimize the potential for increased infiltration of surface water that may result from activities authorized herein.
13. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if BCC and/or its appointed representative has not begun the activities authorized herein.
14. In accordance with OAC Rule 3745-27-13(O), the Director may revoke this authorization if BCC and/or its appointed representative violates, or is likely to violate, any applicable law or if continued implementation of the approved plans may cause a threat to human health or safety or the environment.
15. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable federal or state laws or regulations except as specified herein. This authorization shall not be interpreted to release BCC and/or its appointed representative 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 (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

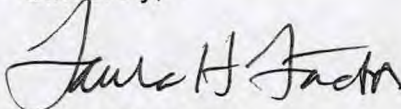
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be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address:

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

If you have any questions regarding this authorization, please contact Monte Bluebaum of Ohio EPA, DMWM, SWDO at (937) 285-6647 or monte.bluebaum@epa.ohio.gov.

Sincerely,



Craig W. Butler
Director

MB/tb

Attachment

ec: Michelle Ackenhausen, DMWM, SWDO
Scott Hester, DMWM, Central Office