



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

June 9, 2021

Mr. Nathaniel Muller
Environmental Manager
Celina Landfill
6141 Depweg Road
Celina, OH 45822

Re: Republic Services Inc Celina
Sanitary Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Mercer County
MSWL018816

**Subject: Celina Sanitary Landfill, Mercer County
Exemption Authorization**

Dear Mr. Muller:

On June 3, 2021, representatives of Republic Services, CEC, and Ohio EPA met via Teams to discuss the pending closure of the Celina Landfill ("landfill") and the on-going clean-up project at 4691 U.S. Route 127 just north of the landfill (Klosterman/Kurtz Bros Site). The Klosterman/Kurtz Bros Site clean-up is generating quantities of solid waste that exceed Celina Landfill's Authorized Maximum Daily Waste Receipt (AMDWR) of 499 tons per day. Republic Services Inc., the owner and operator of the Celina Landfill, has requested to stockpile the solid waste from the Klosterman/Kurtz Bros Site at the working face temporarily until the final grading activities are performed at the landfill.

In accordance with Ohio Revised Code (ORC) 3734.02(G):

"The director, by order, may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes . . . in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment from any requirement . . . of this chapter."

In accordance with ORC 3734.02(G) I hereby authorize the owner/operator of the Celina Landfill to accept solid waste generated from the Klosterman/Kurtz Bros Site in excess of the Celina Landfill's AMDWR of 499 ton per day. The material can be stockpiled at the working face temporarily above the landfill's approved elevations in accordance with the Conditions below. The material is not required to be covered prior to placement of the final cap. If necessary, the Klosterman/Kurtz Bros Site solid waste could be accepted for disposal after the date that the landfill is no longer receiving waste from other customers, to facilitate the clean-up project, provided the landfill is appropriately staffed and the Conditions below are followed.

CONDITIONS

Republic Services, Inc. is hereby exempted from the obligations to apply daily cover and intermediate cover to the Klosterman/Kurtz Bros Site solid waste in accordance with paragraphs (F) and (G) of OAC Rule 3745-27-19 and is permitted to accept the Klosterman/Kurtz Bros Site solid waste in excess of the Celina Landfill's AMDWR and stockpile the solid waste despite the obligation in OAC Rule 3745-27-19(B)(2), provided Republic Services, Inc. complies with all of the following:

1. Republic Services, Inc. shall ensure that all of the Klosterman/Kurtz Bros Site solid waste that is stockpiled at the landfill is temporarily placed near the crown of the landfill atop the liner system, within the ground water monitoring network, and within the approved lateral limits of waste until such time as it is graded into the approved vertical limits of the landfill as the Celina Landfill is prepped for final closure.
2. Republic Services, Inc. shall ensure all of the Klosterman/Kurtz Bros Site solid waste that is stockpiled at the landfill is moved within approved waste grades no later than October 17, 2021 and is covered with the final cap in accordance with the landfill's capping schedule.
3. In accordance with Ohio Administrative Code Rule 3745-27-11(I) the alternative closure schedule proposed via letter dated April 23, 2021, is hereby approved.
4. Nothing in this authorization 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 owner or operator from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery 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.
5. Issuance of this authorization does not constitute expressed or implied agreement that the operation of the Celina Landfill in accordance with this authorization will constitute compliance with applicable state and federal laws, rules, and regulations, nor does issuance of this authorization ensure that necessary operating permits or licenses will be granted.

END OF CONDITIONS

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact John Pasquarette of Ohio EPA, DMWM-NWDO at (419) 373-3057.

Sincerely,



Laurie A. Stevenson
Director

ec: Jeremy Carroll, DMWM-CO
Mike Reiser, DMWM-NWDO
Andy Drumm, DMWM-NWDO
Mary Ann Miller, DMWM-NWDO
Michelle Kimmel, Mercer County Health District MKimmel@mchdohio.org
Jeremy Heyerly, CEC Inc. jheyerly@cecinc.com
Julius Nyiro, Republic Services JNyiro@republicservices.com
Nathaniel Muller, Republic Services NMuller@republicservices.com