



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

JUN 12 2012

ENTERED DIRECTOR'S JOURNAL

June 12, 2012

Mr. Jeff Vance, Village Administrator
Village of Columbus Grove
113 East Sycamore Street
Columbus Grove, Ohio 45830

**Re: Former Village of Columbus Grove Dump, Putnam County
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Mr. Vance:

On December 12, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a request from Poggemeyer Design Group on behalf of the Village of Columbus Grove (Village), pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, to place approximately 35,000 cubic yards of soil on the Former Village of Columbus Grove Dump (Facility). Following the December 12, 2011 submittal, several revisions were submitted and reviewed by Ohio EPA NWDO. Based upon comments made, a revised version of the OAC Rule 3745-27-13 Authorization Request was received on February 29, 2012. Pursuant to OAC Rule 3745-27-13, the Village 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.

This authorization is being pursued in order to place approximately 35,000 cubic yards of soil over the Former Village of Columbus Grove Dump.

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 Village is hereby authorized to perform the activities outlined in this letter in accordance with the submitted and approved plans, specifications, and information.

I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

by: Scott J. Nally Date: 6-12-12

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

CONDITIONS

1. This approval grants authorization to perform activities at the Facility in accordance with the request titled "Columbus Grove Sewer Separation Phase I", dated February 28, 2012. 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. 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.
4. The village is not authorized to place solid waste or sewage sludge on the Facility under this authorization.
5. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
6. The Village shall take measures to control fugitive dust and other air emissions that may result from activities authorized by this action.
7. All filling that occurs at the Facility shall be conducted in such a manner that promotes positive drainage and eliminates the ponding of surface water on the Facility.
8. Provided that seasonal conditions allow, seeding of the Facility shall take place within 30-days of final grading. A vegetative cover that is adequate in controlling erosion shall be established within 2 years of seeding.
9. Pursuant to OAC Rule 3745-27-13(H)(9), upon completion of filling, grading, excavating, building, or mining activities at the Facility, the Village shall restore the condition of the Facility cap in accordance with the appropriate provisions of Ohio Revised Code (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.

10. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if the Village has not begun the activities authorized herein.
11. Not later than sixty (60) days after completing the activities authorized through this approval, the Village shall submit to Ohio EPA, DMWM, NWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
12. The Director may revoke this authorization if the Village 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.
13. 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 Village, their appointed representative, 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 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 Street, 17th Floor
Columbus, Ohio 43215

Jeff Vance
Village of Columbus Grove
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If you have any questions concerning this letter, please contact Brent M. Goetz of Ohio EPA, NWDO at (419) 373-4114.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Nally". The signature is fluid and cursive, with a large initial "S" and "N".

Scott J. Nally, Director

PJF/jam

Enclosure

Cc: Kenneth A. Maag, Poggemeyer Design Group
Brent M. Goetz, DMWM, NWDO