



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

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

CERTIFIED

December 10, 2012

Mr. Chris Jaquet
Area Manager
Republic Services, Inc.
43502 Oberlin-Elyria Road
Oberlin, Ohio 44074

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:  Date: 12-10-12

**RE: Lorain County I Landfill, Lorain County,
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Jaquet:

On June 15, 2012, the Ohio Environmental Protection Agency (Ohio EPA) received a request, dated June 13, 2012, titled *Lorain County I Landfill, Rule 13 Submittal for Landfill Gas Collection and Control System Improvements*, to conduct activities on the closed Lorain County I Landfill (Facility). Revisions to the document were received on September 11, 17, 18, and 26, 2012. The document was submitted in accordance with OAC Rule 3745-27-13(E) by BEL Environmental Engineering, LLC, (BEL) on behalf of Republic Services, Inc. (Republic).

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. Republic is specifically requesting the following items: installation of a 12-inch diameter perimeter header and associated lateral piping to supplement the existing header and lateral piping; replacement of existing, sagged piping due to settlement; installation of 6 additional condensate sumps, and installation of PE4710 HDPE SDR 26 pipe for PE3608 HDPE SDR 17 pipe for use as header and lateral piping to be installed outside the limits of waste and above waste grades in areas where final cover has been constructed.

Based upon a review of the request and all subsequent revisions, 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 violation of applicable laws and regulations, will not create a nuisance, and are unlikely to adversely affect the public safety or health or the environment. Therefore, Republic 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, Republic is subject to the following conditions:

CONDITIONS

1. This approval grants authorization to perform activities at the Facility in accordance with the June 13, 2012 document titled *Lorain County I Landfill, Rule 13 Submittal for Landfill Gas Collection and Control System Improvements* received June 15, 2012, and subsequent revisions received September 11, 17, 18, and 26, 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. Republic Services, Inc., and/or their 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.
3. Not later than seventy-two (72) hours prior to the start of the activities associated with this authorization, Republic shall submit written notification, which specifies the anticipated date of commencement, to Ohio EPA, DMWM, NEDO and the Lorain County Health Department.
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 runoff and runoff, 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. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
7. All 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 in accordance with Ohio Revised Code (ORC) Chapter 3734 and the regulations promulgated thereunder.
8. 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 in accordance with ORC Chapter 6111 and the regulations promulgated thereunder.

9. Prior to any removal of waste or contaminated soil from the Facility, Republic 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, NEDO, pursuant to OAC Rule 3745-27-13(H)(4).
10. Not later than sixty (60) days after completing the activities authorized by this approval, Republic shall submit to Ohio EPA, DMWM, NEDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
11. Republic shall take measures to control fugitive dust and other air emissions that may result from activities authorized by this approval.
12. For the purposes of erosion control during the proposed activities at the landfill, Republic shall use best management practices and standards as specified in the National Resources Conservation manual titled *Rainwater and Land Development* prepared by the Ohio Department of Natural Resources, Division of Soil & Water Conservation.
13. Any portion of the landfill where the final cover system is removed or damaged by activities conducted pursuant to this authorization shall have the final cover system re-established in accordance with OAC Rule 3745-27-13(H)(9).
14. No boring or excavation shall occur unless the excavated waste is replaced within previously existing horizontal and vertical limits of waste placement or is treated or disposed of at a licensed, permitted treatment or disposal facility, in accordance with ORC Chapter 3734 and the regulations promulgated thereunder.
15. If boring or excavation occurs outside the limits of waste placement at the Facility, Republic shall not use material consisting of solid or hazardous waste to backfill the bored or excavated areas.
16. In accordance with OAC Rule 3745-12-13(M), this authorization shall terminate three (3) years after its effective date if Republic has not begun the activities authorized herein.
17. In accordance with OAC Rule 3745-27-13(K), the Director may revoke this authorization if Republic violates, or is likely to violate, any applicable law or if continued implementation of the authorized plans may cause a threat to human health or safety or the environment.

END OF CONDITIONS

Nothing in this letter shall be constructed to authorize any waiver from the requirements of any applicable federal or state laws or regulations except as specified herein. This authorization shall not be interpreted to release Republic 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

Mr. Chris Jaquet
Republic Services, Inc.
Page Page 4 of 4

Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

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," which the Commission, in its discretion, may reduce 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

If you have any questions concerning this authorization, please contact Jerry Parker of Ohio EPA, DMWM, NEDO at (330) 963-1186.

Sincerely,



Scott J. Nally
Director, Ohio EPA

SJN/JP/cl
Enclosure

cc: Scott Hester, DMWM-CO (w/ enclosure)
Lynn Sowers, DMWM-NEDO (w/ enclosure)
Clarissa Gereby, DMWM-NEDO
John Sabo, Lorain County Health Department (w/ enclosure)
Angela Leonard, BEL