



State of Ohio Environmental Protection Agency

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Ms. Shirley D. Morrow, CPESC  
Senior Environmental Scientist  
Burns & McDonnell  
9400 Ward Parkway  
Kansas City, Missouri 64114-3319

**Re: Ohio Air National Guard - 179th Civil Engineer Squadron, Richland County  
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Ms. Morrow:

The Ohio Environmental Protection Agency (Ohio EPA) received a document titled "Ohio Air National Guard - 179th Civil Engineer Squadron, Information Requirements for Rule 13 Authorization, Project No.: 28903", dated March 17, 2003. The Air National Guard (ANG) requested to perform the installation of a vehicle maintenance building, covered storage, wash/paint bay, and a parking lot within 300 feet of the closed Richland County Landfill. This request for authorization to engage in filling, grading, excavating, building, mining, or drilling activities was submitted in accordance with the provisions of Ohio Administrative Code (OAC) Rule 3745-27-13.

Based upon a review of the document, Ohio EPA has determined that the proposed activities, if conducted in accordance with the request and the following conditions, will not result in a 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, ANG is hereby authorized to perform the activities outlined in this letter in accordance with the submitted plans, specifications, and information. This approval is subject to the following conditions:

**Conditions**

1. Ohio EPA, Northwest District Office (NWDO), Division of Solid and Infectious Waste Management (DSIWM) and the Richland County Health Department shall receive written notice not later than 72 hours prior to commencement of the proposed activities.
2. Not later than 90 days after completion of the activities approved by this authorization, as-built drawing(s) shall be submitted to Ohio EPA NWDO and the Richland County Solid Waste Management District which documents that the project was performed

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

in accordance with this authorization. The drawing(s) shall include, at a minimum, location of all underground utilities, and the locations of all structures, foundations, and cement pad placements.

3. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release ANG 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 from the facility to the environment.

### **End of Conditions**

You are hereby notified that this action of the Director of Environmental Protection 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions concerning this authorization, please contact Mary Ann Miller of Ohio EPA's NWDO at (419) 373-3060.

Sincerely,

Christopher Jones  
Director

cc: Robert Taylor, Richland County Solid Waste Management District  
Steve Schwarzwaldner, Richland County Health Department  
Mary Ann Miller, DSIWM-NWDO