



State of Ohio Environmental Protection Agency

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Dr. Boyd C. Hoddinott, M.D.
Logan County Health District
310 South Main Street
Bellefontaine, Ohio 43311-1696

**Re: Chiles Landfill, Logan County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Dr. Hoddinott:

On December 8, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a request titled *Application for Authorization from the Director of Ohio EPA* from the Logan County Health District (LCHD), on behalf of Mrs. Kitty Chiles, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, to engage in filling, grading, excavating, building, drilling, or mining activities at the closed Chiles Landfill (Facility) located in Logan County.

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, LCHD requested authorization to construct a cut-off trench along the boundary of the Facility property to intercept migrating gas and to divert the gas away from a neighboring occupied structure, the National Salt building. A four hundred (400) foot long trench will be installed along the property boundary adjacent to the National Salt building. The trench will be a minimum of eight (8) feet deep and not more than eighteen (18) feet deep and will be backfilled with locally available gravel. Four (4) vertical columns of perforated polyvinyl chloride (PVC) pipe will be spaced evenly in the trench. The gravel will provide a "path-of-least-resistance" for migrating landfill gas (LFG) and the pipes will serve as vents for the intercepted gas.

Based upon a review of the request, I have determined, pursuant to OAC Rule 3745-27-13, that the proposed activities 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, LCHD is hereby authorized to perform the activities outlined in this letter in accordance with the submitted and approved plans, specifications, and information.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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

CONDITIONS

1. This approval grants authorization to perform activities at the Facility in accordance with the request titled *Application for Authorization from the Director of the Ohio EPA*, received December 8, 2005, only. 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. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
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. Surface water control structures shall be constructed, as needed, to divert water around the construction site. For the purposes of erosion control during all phases of construction at the Facility, LCHD shall use Best Management Practices (BMP) standards as specified in the National Resource Conservation Service manual titled *Rainwater and Land Development*.
4. Not later than three (3) days prior to the start of construction activities associated with this authorization, LCHD shall notify Ohio EPA, SWDO of the anticipated date of construction commencement.
5. Not later than sixty (60) days after completing the activities authorized by this approval, LCHD shall submit to Ohio EPA, SWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
6. LCHD shall monitor for explosive gas and modify and/or update the explosive gas monitoring activities, as necessary, to accommodate changing conditions at the Facility.
7. All solid 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. Prior to any removal of waste or contaminated soil from the Facility, LCHD 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, SWDO pursuant to OAC Rule 3745-27-13(H)(4).
9. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 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 regulations promulgated thereunder.
10. A six (6) inch layer of soil cover shall be applied to any exposed waste by the end of the working day. Under no circumstances shall waste be exposed for more than twenty-four (24) hours.
11. A twelve (12) inch layer of intermediate soil cover shall be applied to any exposed waste in an area where activities are being suspended for more than seven (7) days.
12. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if LCHD has not begun the activities authorized herein.
13. Nothing in this letter shall be construed to authorize any waiver from any requirements of any applicable federal or state laws or regulations. This authorization shall not be interpreted to release LCHD 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 (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. A copy of the appeal must be served on the Director within three (3) days after filing with the Commission. An appeal may be filed with the Commission at the following address:

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

If you have any questions regarding this authorization, please contact Cheryl Allen of Ohio EPA, SWDO at (937) 285-6650 or Monte Bluebaum at (937) 285-6047.

Sincerely,

Joseph P. Koncelik
Director

cc: Cheryl Allen, DSIWM-SWDO
Scott Hester, DSIWM-CO
Craig Kauffman, Logan County Health District