



State of Ohio Environmental Protection Agency

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Crawford County Board of Commissioners  
112 East Mansfield Street  
Bucyrus, Ohio 44820

Santek Environmental  
5128 Lincoln Highway East  
Bucyrus, Ohio 44820

**Re: Crawford County Landfill, Crawford County  
Director's Determination Pursuant to Uncodified Section 3.(A) of H.B. 397**

Dear Commissioners:

On February 15, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Office of the Director, received your request for a Director's determination pursuant to uncodified Section 3.(A) of Amended Substitute House Bill 397. The letter was submitted by Santek Environmental of Ohio (Santek), on behalf of the Crawford County Board of Commissioners (Commissioners), and requests that the Director make a determination regarding the applicability of this division to the Commissioners' license application to establish a new construction and demolition debris (C&DD) facility in Crawford County on top of the closed north landfill unit of the Crawford County Landfill, an existing municipal solid waste landfill.

In accordance with Section 3.(A), a license application submitted prior to July 1, 2005, shall be reviewed and the license shall be issued or denied in accordance with the provisions of Ohio Revised Code (ORC) Chapter 3714 as they existed on July 1, 2005, if the Director determines that this division applies to an applicant. In order for this division to apply, the following four criteria must be satisfied:

1. The applicant has acquired an interest in the property on which the facility will be located on or before May 1, 2005.
2. The applicant has begun a hydrogeologic investigation pursuant to Ohio Administrative Code (OAC) Rule 3745-400-09 prior to submitting the application.
3. The applicant has begun the engineering plans for the facility prior to submitting the application.

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

4. The application submitted by the applicant would have been determined to be complete if a moratorium had not been in effect.

Ohio EPA has reviewed your request and associated information and has determined that uncodified Section 3.(A) of Amended Substitute House Bill 397 applies to the Commissioners. Therefore, the license application to establish a C&DD facility submitted by the Commissioners shall be reviewed and the license shall be issued or denied pursuant to the provisions of ORC Chapter 3714 as they existed on July 1, 2005.

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:

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

If you have any questions regarding this determination, please contact Ellen Gerber of Ohio EPA's Northwest District Office at (419) 373-3046.

Sincerely,

Joseph P. Koncelik  
Director

JPK/EG/MM/sw

cc: Ellen Gerber, DSIWM-NWDO  
Scott Hester, DSIWM-CO  
Jackie Ward, Crawford County General Health District