



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

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Columbus, Ohio 43215

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P.O. Box 1049
Columbus, Ohio 43216-1049

Issuance Date: _____

Effective Date: _____

Expiration Date: _____

Chris Hodges
Lake County Department of Utilities
105 Main Street
P.O. Box 490
Painesville, Ohio 44077

**Re: Lake County Solid Waste Facility (LCSWF), Lake County
Authorization for a Temporary Increase of the Authorized Maximum Daily Waste
Receipt (AMDWR)**

Dear Mr. Hodges:

On July 31, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a request dated July 31, 2006, pursuant to Ohio Administrative Code (OAC) Rule 3745-37-14(D)(1), to temporarily increase the AMDWR of the LCSWF from 1,474 tons to 2,500 tons for a period of ninety (90) days. The 1,474-ton AMDWR was established by PTI Number 02-5646 issued on October 13, 1993.

Lake County is the subject of a state emergency declaration due to recent storms that moved through the area. The Lake County Solid Waste Facility has been contacted by several storm relief/waste collection companies to provide storm waste disposal.

Lake County notes that the LCSWF is equipped with the appropriate equipment and personnel to handle the increased volume with little, if any, operational changes. Based upon historical performance standards associated with the equipment at the landfill, the equipment available on site can adequately handle volumes of waste in excess of 2,500 tons per day.

Based upon a review of the request and associated information, I hereby authorize an increase in the AMDWR at the LCSWF to 2,500 tons for a period of ninety (90) days in accordance with OAC Rule 3745-37-14(D)(1). This authorization is subject to the following conditions:

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



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CONDITIONS

1. This authorization to increase the AMDWR shall expire ninety (90) days after the effective date of this action.
2. Pursuant to OAC Rule 3745-37-14(D)(2), if the increased waste receipt results in operational violations at the LCSWF, then this authorization to temporarily increase the AMDWR shall automatically become void upon written notification from the director.
3. Nothing in this authorization shall be construed to authorize any waiver or exemption from the requirements of any applicable state solid waste laws or regulations, except as specified herein. This authorization shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery 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.
4. Issuance of this authorization does not constitute expressed or implied agreement that the operation of the facility in accordance with this authorization will constitute compliance with the applicable state and federal laws, rules and regulations, nor does issuance of this authorization ensure that necessary operating permits or licenses will be granted.

You are hereby notified that this action of the Director of Ohio EPA (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. It 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 Commission at the following address:

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

Chris Hodges
Lake County Department of Utilities
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If you have any questions concerning this letter, please contact Colum McKenna of Ohio EPA, DSIWM-NEDO at (330) 963-1268.

Sincerely,

Joseph P. Koncelik, Director
Ohio Environmental Protection Agency

cc: Laura Kuns, Lake County General Health District
Scott Hester, DSWIM-CO
Murat Tukul, DSIWM-NEDO