



State of Ohio Environmental Protection Agency

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August 15, 2006

The Honorable Lydia J. Reid
Mayor of the City of Mansfield
30 North Diamond St.
Mansfield, OH 44902

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

Dear Mayor Reid:

On June 26, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a request from McCabe Engineering, submitted on behalf of the City of Mansfield, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, to engage in filling, grading, excavating, building, drilling, or mining activities near the closed Richland County Landfill (Facility) located in Richland County. Revisions to the request were received on July 12, 2006.

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. For the purposes of OAC Rule 3745-27-13, "facility" includes those areas within three-hundred (300) feet of the limits of solid waste placement if activities in these areas are likely to impact the integrity of the waste placement or any ancillary structures.

Specifically, the City of Mansfield proposes to construct a water line along Cairns Road, south of the Facility. The proposed activities will occur within three-hundred (300) feet of the Facility's limits of solid waste placement.

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, the City of Mansfield 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, the City of Mansfield is subject to the following conditions:

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

CONDITIONS

1. Ohio EPA, NWDO, DSIWM shall be notified in writing at least seven (7) calendar days prior to commencement of the activities associated with this authorization.
2. If any solid waste is excavated while conducting the activities authorized herein, it shall be properly 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.
3. Prior to any removal of waste or contaminated soil from the Facility, the City of Mansfield shall submit copies of sample analysis results, the treatment or disposal method selected, and a copy of a letter of acceptance from the treatment or disposal facility to Ohio EPA, NWDO, pursuant to OAC Rule 3745-27-13(H)(4).
4. Copies of receipts for the disposal of waste removed from the Facility shall be submitted within the certification report required by OAC Rule 3745-27-13(H)(10).
5. If, during any activity authorized by this approval, suspected hazardous waste is encountered, construction activities shall cease and Ohio EPA, NWDO, DSIWM and the Division of Hazardous Waste Management shall be notified immediately.
6. If, during any activity authorized by this approval, explosive gas is encountered, Ohio EPA, NWDO, DSIWM shall be notified immediately.
7. This approval grants authorization to perform activities at the Facility in accordance with the document titled *Rule 13 Application for Utility Construction*, received on June 26, 2006, with revisions received on July 12, 2006, only. All activities shall be conducted in strict accordance with the plans, specifications, and 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.
8. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
9. 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 runoff, and protection of ground water.
10. The City of Mansfield shall comply with all applicable sections of OAC Rule 3745-27-13(H), effective August 15, 2003.
11. The Director may revoke this authorization if the City of Mansfield violates, or is likely to violate, any applicable law or if continued implementation of the approved plans causes a threat to human health or safety or the environment.

12. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable federal or state laws or regulations. This authorization shall not be interpreted to release the City of Mansfield or others from responsibility under 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.

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. 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 after the appeal is filed 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 St., Room 222
Columbus, Ohio 43215

If you have any questions regarding this letter, please contact Jamie Squibb at (419) 373-3063 at the Northwest District Office.

Sincerely,

Joseph P. Koncelik
Director

JPK/JS/JS/sw

cc: Richland County Health Department
Scott Hester, DSIWM, CO
Jamie Squibb, DSIWM, NWDO
Bob Taylor, Richland County Regional Solid Waste Management Authority