



State of Ohio Environmental Protection Agency

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

Mr. William Murdock, Deputy Director
Department of Development
City of Gahanna
200 South Hamilton Rd.
Gahanna, Ohio 43230

**Re: Bedford II Landfill, Franklin County
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Mr. Murdock:

On September 26, 2006, Ohio EPA received a request, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, for authorization to perform environmental site assessment sampling activities at the Bedford II Landfill (Facility), located south of Claycraft Road in Gahanna, Ohio. This request was submitted by Mr. Steve Gross of Hull & Associates, Inc., on behalf of the City of Gahanna (City). The property is owned by Mr. Timothy Farkas of Bly Inc. and an access agreement was granted for these activities on July 25, 2002 until such time that the activities are completed. Final revisions to this request were submitted on November 9, 2006.

The request proposes the following activities:

1. Twenty-four (24) direct push borings that will penetrate 20 - 40 feet below the cap. A bentonite slurry mix will be used to fill the bore holes immediately after completion.
2. Additional drilling activities that will be performed outside of waste limits with a hollow stem auger drill rig to install ground water monitoring wells.

These activities are being proposed to better define the waste thickness and to determine if ground water has been impacted.

Based upon the review of the submitted request, Ohio EPA has determined that the proposed activities, if conducted in accordance with the following conditions, will not result in 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, you are hereby authorized to perform the above activities in accordance with the submitted request and the following conditions:

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

Conditions

1. The Director of Ohio EPA (Director), or a representative authorized by the Director, may enter the premises of the Facility at any time to inspect, conduct tests, or examine records and reports pertaining to the authorized activities.
2. The Director may revoke this authorization if the City violates, or is likely to violate, any applicable law or if the continued implementation of the approved plans causes a threat to human health or safety or the environment.
3. Any 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, surface water runoff, and protection of ground water.
4. All solid 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.
5. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 that are 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 the regulations promulgated thereunder.
6. Not later than 60 days after completing the activities authorized through this approval, the City shall submit to Ohio EPA a certification report in accordance with OAC Rule 3745-27-13(H)(10).
7. 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 or others 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, 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.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals 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

Mr. William Murdock, Deputy Director
Page 3

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 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 Environmental Review Appeals 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 authorization, please contact Laura Parkinson at Ohio EPA, Central District Office, Division of Solid and Infectious Waste Management at (614) 728-3889.

Sincerely,

Joseph P. Koncelik
Director

Attachments

cc: Jeff Gibbs, Franklin Co. Health Dept. w/attachments
Mr. Steve Gross, Hull & Assoc., Inc. w/attachments
Duane Snyder, DSIWM, CDO, w/attachments
Scott Hester, DSIWM, CO, w/attachments