



State of Ohio Environmental Protection Agency

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October 3, 2007

Mr. John Schmidt
Safety and Service Director
City of Greenville
100 Public Square
Greenville, Ohio 45331

**RE: Closed City of Greenville Landfill, Darke County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization Request**

Dear Mr. Schmidt:

On November 20, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO), received a request titled "OAC 3745-27-13 Authorization Request, For Stream Bank Stabilization and Passive Methane Vent, Monitoring Well and Piezometer Installation at the Closed City of Greenville Landfill", prepared by Hull & Associates, Inc. on behalf of City of Greenville (City). The City of Greenville requested authorization to perform site improvement and investigation activities at the closed City of Greenville Landfill (Facility) located in Darke County. These activities involve the following:

1. Stream bank stabilization.
2. Installation of passive methane vents.
3. Installation of piezometers and/or monitoring wells.

Because the property is a formerly licensed solid waste landfill, the site is regulated under Ohio Administrative Code (OAC) Rule 3745-27-13(D)(1).

In correspondence dated January 8, 2007, and March 6, 2007, Ohio EPA communicated a list of deficiencies regarding the November 20, 2006, OAC Rule 3745-27-13 authorization request. On June 1, 2007, Ohio EPA, DSIWM, SWDO received additional information in a revised document titled "Revised OAC 3745-27-13 Authorization Request for Stream Bank Stabilization and Passive Methane Vent, Monitoring Well and Piezometer Installation at the Closed City of Greenville Landfill, and Responses to Ohio EPA Comments Received in Letters Dated January 8 and March 6, 2007. GVO011.200.0029", prepared by Hull & Associates, Inc. on behalf of the City of Greenville dated May 31, 2007.

Based upon a review of the November 20, 2006, document and revised May 31, 2007, document, I have determined, pursuant to OAC Rule 3745-27-13, the proposed activities, if conducted in accordance with the request and the following conditions will not result in a violation of applicable laws or regulations, will not create a nuisance, and

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

are unlikely to adversely affect the public safety or health or the environment. Therefore, the City of Greenville is hereby authorized to perform the activities outlined in this letter in accordance with the submitted plans, specifications, and information.

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

CONDITIONS

1. This approval grants authorization to conduct stream bank stabilization, installation of passive methane vents, and installation of piezometers and/or monitoring wells at the Facility in accordance with the request titled "OAC 3745-27-13 Authorization Request, For Stream Bank Stabilization and Passive Methane Vent, Monitoring Well and Piezometer Installation at the Closed City of Greenville Landfill," submitted November 20, 2006 and "Revised OAC 3745-27-13 Authorization Request for Stream Bank Stabilization and Passive Methane Vent, Monitoring Well and Piezometer Installation at the Closed City of Greenville Landfill, and Responses to Ohio EPA Comments Received in Letters Dated January 8 and March 6, 2007. GVO011.200.0029" dated May 31, 2007, only. All activities must 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.
2. Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, the City shall submit written notification, which specifies the anticipated date of work commencement, to Ohio EPA, SWDO and the Darke County General Health District.
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.
4. All on-site activities shall be performed in a manner that prevents migration of leachate, explosive gas, or toxic gas from the Facility.
5. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
6. 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.

7. 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.
8. Prior to any disposal of waste or contaminated soil from the Facility, the City 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. Not later than sixty (60) days after completing the activities authorized by this approval, the City shall submit to Ohio EPA, SWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
10. 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, the City shall use Best Management Practices (BMP) standards as specified in the National Resource Conservation Service manual titled *Rainwater and Land Development*.
11. The City shall take measures to control fugitive dust and other air emissions that may result from activities authorized by this action.
12. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if the City of Greenville has not begun the activities authorized herein.
13. The Director may revoke this authorization if the City 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.
14. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the City or others 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 pursuant to Section 3745.04 of the Ohio Revised Code. 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 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, OH 43215

If you have any questions concerning this authorization, please contact Holly Hillyer of Ohio EPA, SWDO at (937) 285-6072.

Sincerely,

Chris Korleski
Director

cc: Scott Hester, DSIWM-CO
Tracy Buchanan, DSIWM-SWDO
Roberta Broerman, Darke County General Health District

CK/HHH/plh