



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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MAY 24 2002

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ENTERED DIRECTOR'S JOURNAL

MAY 24 2002

Timothy M. Dickens, General Manager
Foundry Services, Inc.
P.O. Box 100
Ironton, OH 45638

I certify this to be a true and accurate copy of the
official copy as it exists in the records of the Ohio
Environmental Protection Agency

By:  5-24-02

**Re: Foundry Services, Inc., Class III RSW Landfill, Lawrence County
Extension of the Termination Date for PTI No. 06-4947**

Dear Mr. Dickens:

On November 19, 1997, the Ohio Environmental Protection Agency (Ohio EPA) issued a permit approval (Permit-to-Install Number 06-4947) to Foundry Services, Inc. (FSI) to construct a non-captive class III residual solid waste landfill in Lawrence County. Pursuant to Ohio Administrative Code (OAC) Rule 3745-31-06(A), the permittee is required to undertake a continuing program of installation or modification, or enter into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification within 18 months after permit issuance. This rule also allows for a 12-month extension of the time frame.

Citing unfavorable market conditions, FSI did not begin construction of the facility within the 18-month time frame. As a result, FSI requested a 12-month extension, and on June 30, 1999, Ohio EPA issued it.

For the same reasons as above, FSI did not begin construction of the facility within the extended time frame. FSI requested another 12-month extension, and on May 19, 2000, Ohio EPA issued a second extension.

Again as noted above, FSI did not begin construction of the facility within the extended time frame. FSI requested another 12-month extension, and on May 24, 2001, Ohio EPA issued a third extension.

Market conditions continue to be unfavorable and FSI has not begun construction of the facility within the third extended time frame. By letter dated March 25, 2002, FSI requested a fourth 12-month extension.

Even though FSI has not begun construction since issuance of the permit approval, the plans and approved permit continue to meet Ohio EPA's current siting, design and construction specifications. Therefore, pursuant to OAC Rule 3745-31-06(C), I hereby approve a 12-month extension to begin a continuing program of installation or enter into

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation of the facility. This extension is subject to the following conditions:

1. This extension shall expire 12 months from the effective date of this authorization.
2. This extension shall expire six months from the effective date of this authorization if FSI has not submitted the required annual disclosure statements and fee pursuant to Ohio Revised Code Section 3734.42.

This approval does not release FSI from complying with any other requirements of the permit approval issued on November 19, 1997, or any requirement of OAC Chapter 3745-30.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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 30 days after notice of the Director's action. A copy of the appeal must be served on the Director within three days of filing with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

If you have any questions, please contact Craig Walkenspaw of Ohio EPA, Southeast District Office, Division of Solid and Infectious Waste Management at (740) 385-8501.

Sincerely,



Christopher Jones
Director

CJ/CW/jg

cc: Lawrence County Health Department
Lawrence and Scioto County Solid Waste Management District
Clint Shuff, DSIWM, SEDO
Scott Hester, Ohio DSIWM, CO ✓