



State of Ohio Environmental Protection Agency

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Mr. Jack Wachter,
Senior Environmental/Safety Specialist
City of Cincinnati, Office of Environmental Management
805 Central Avenue, Suite 610
Cincinnati, Ohio 45202

**RE: Center Hill Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Wachter:

On November 8, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO), received a request titled "Request For Authorization To Install Additional Methane Extraction Well at the Closed Center Hill Landfill." The City of Cincinnati requested authorization, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, to engage in filling, grading, excavating, building, drilling, or mining activities at the closed Center Hill Landfill (Facility) in order to install one (1) gas extraction well, EW-10, and its connection to the existing gas extraction system at gas extraction well number 9 (EW-9).

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 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 Cincinnati 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 Cincinnati is subject to the following conditions:

CONDITIONS

1. This approval grants authorization to perform activities at the Facility in accordance with the document titled "Request For Authorization To Install Additional Methane Extraction Well at the Closed Center Hill Landfill" received November 8, 2005. All activities shall be conducted in strict accordance with the plans, specifications, and other 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.
2. All activities undertaken shall not create a nuisance and shall not adversely affect the public safety or health or the environment.

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

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. Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, the City of Cincinnati shall submit written notification, which specifies the anticipated date of work commencement, to Ohio EPA, SWDO and the Cincinnati Board of Health.
5. Not later than sixty (60) days after completing the activities authorized by this approval, the City of Cincinnati shall submit to Ohio EPA, SWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
6. Surface water controls shall be constructed as needed to divert water around the construction site.
7. For the purposes of erosion control during all phases of construction at the landfill, the City of Cincinnati shall use Best Management Practices (BMP) standards as specified in the manual titled Rainwater and Land Development prepared by the Ohio Department of Natural Resources, Division of Soil and Water Conservation.
8. The City of Cincinnati shall monitor for explosive gas and modify and/or update the explosive gas monitoring activities, as necessary, to accommodate changing conditions at the Facility and in response to any comments provided by Ohio EPA or the Cincinnati Board of Health.
9. All solid and/or hazardous waste removed for disposal from the landfill 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.
10. Prior to any removal of waste or contaminated soil from the Facility, the City of Cincinnati 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),
11. A six (6) inch layer of soil cover shall be applied to any exposed waste by the end of the working day. In no event shall solid waste be exposed for more than twenty-four (24) hours.
12. A twelve (12) inch layer of intermediate soil cover shall be applied to any exposed waste where activities are being suspended for more than seven (7) days.

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13. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if the City of Cincinnati has not begun the activities authorized herein.
14. The Director may revoke this authorization if the City of Cincinnati 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.

Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release the City of Cincinnati 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.

You are hereby notified that this action of the Director of Ohio EPA 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. A copy of the appeal must be served on the director within three (3) days after filing with the Commission. 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

If you have any questions regarding this authorization, please contact Cheryl Allen of Ohio EPA, SWDO at (937) 285-6650.

Sincerely,

Joseph P. Koncelik
Director

JPK/CA/KM/sw

cc: Cheryl Allen, DSIWM-SWDO
Scott Hester, DSIWM-CO
Rick Thornburg, Cincinnati Board of Health