



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Daniel Titus  
Environmental Manager  
Allied Waste Industries, Inc.  
43502 Oberlin-Elyria Road  
Oberlin, OH 44074

**Re: County Land Development Landfill, Mahoning County  
Final Closure/Post-Closure Plan Approval**

Dear Mr. Titus:

On December 28, 2004, the State of Ohio Attorney General's Office and Browning-Ferris Industries of Ohio, Inc. (BFIO) signed the following document: "Mahoning County Common Pleas Consent Order and Permanent Injunction 04CV4468" (Consent Order). The Consent Order resolved an Ohio EPA enforcement case at the County Land Development Landfill (Facility), a licensed and operating construction and demolition debris facility located in Mahoning County. Paragraph 11 of the Consent Order states the following:

"...Within one hundred and twenty (120) days after the effective date of this Consent Order, Defendant shall submit an approvable final closure/post-closure plan for the Facility prepared in accordance with the standards set forth in Appendix A. The closure/post-closure plan shall comply with Ohio Admin. Code Rule 3745-27-11(B)...."

On April 27, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a plan titled *County Land Development Landfill, Final Closure Plan, Green Township, Mahoning County, Ohio* (Plan). The Plan was prepared and submitted by Civil and Environmental Consultants, Inc. (CEC) on behalf of BFIO. Ohio EPA, DSIWM, NEDO received revisions to the Plan on May 4, 2006, and May 5, 2006.

Ohio EPA has reviewed the submitted Plan and subsequent revisions and has determined that it meets applicable requirements. Therefore, I hereby approve the Plan for the Facility. As part of this approval, BFIO is subject to the following conditions:

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

## CONDITIONS

1. This approval only applies to the plan titled *County Land Development Landfill, Final Closure Plan, Green Township, Mahoning County, Ohio*, received on April 27, 2005, with revisions received on May 4, 2006, and May 5, 2006.
2. All final closure activities at the Facility shall be initiated not later than October 31, 2010, and shall be completed not later than April 29, 2011. Any portion of the Facility on which closure activities have been initiated prior to October 31, 2010, shall have such closure activities completed not later than 180 days after their initiation.
3. Ohio EPA and the Mahoning County Board of Health (MCBH) shall receive written notification of the anticipated date of work commencement not later than seven days prior to starting any construction activities authorized by this approval, so that construction can be routinely inspected by Ohio EPA and MCBH.
4. All surface water control structures shall be in place prior to beginning any construction activities authorized by this approval.
5. Not later than 14 days after the effective date of this approval, BFIO shall execute and fund closure and post-closure care financial assurance instruments that reflect the estimates specified in the approved Plan.
6. The Director of Ohio EPA (Director), or an authorized representative, may enter the Facility during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or examining records or reports pertaining to the activities authorized by this approval.
7. Issuance of this approval does not relieve BFIO of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
8. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This authorization shall not be interpreted to release BFIO or others from responsibility under Ohio Revised Code 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**

Mr. Daniel Titus  
Allied Waste Industries, Inc.  
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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 made 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 not later than 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  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions regarding this approval, please contact Mr. Jerry Parker of Ohio EPA, NEDO at (330) 963-1186.

Sincerely,

Joseph P. Koncelik  
Director

JPK/JP/JS/sw

cc: Lynn Sowers, Ohio EPA-DSIWM-NEDO  
Scott Hester, Ohio EPA-DSIWM-CO  
Mary Helen Smith, Mahoning County Board of Health