



State of Ohio Environmental Protection Agency

OHIO E.P.A.

MAY 22 2008

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MAY 22 2008

The Honorable Donald R Culliver  
Mayor of the City of Mansfield  
30 North Diamond St.  
Mansfield, OH 44902

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

By: Donna Jackson Date: 5-22-08

**Re: Richland County Landfill, Richland County  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mayor Culliver:

On March 13, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a request titled "Rule 13 Application for Roadwork and Utility Installation," prepared by McCabe Engineering, on behalf of the City of Mansfield. Revisions to the request were received on April 16, 2008. The document and revisions were submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, to engage in filling, grading, excavating, building, drilling, or mining activities near the closed Richland County Landfill (Facility) located in Richland County.

OAC Rule 3745-27-13 requires authorization from the Director of Ohio EPA (Director) before engaging in filling, grading, excavating, building, drilling, or mining on land where a solid waste facility was operated. For the purposes of OAC Rule 3745-27-13, "facility" includes those areas within three-hundred (300) feet of the limits of solid waste placement if activities in these areas are likely to impact the integrity of the waste placement or any ancillary structures.

Specifically, the City of Mansfield proposes to make improvements to Crall Road and construct utilities (water line, storm and sanitary sewers) along the north side of Crall Road, north of the Facility. The proposed activities will occur within three-hundred (300) feet of the Facility's limits of solid waste placement.

Based upon a review of the request submitted to Ohio EPA on March 13, 2008 and revised on April 16, 2008, I have determined, pursuant to OAC Rule 3745-27-13, that the proposed activities will not result in a violation of applicable laws or regulations, will not create a nuisance, and will not adversely affect the public safety or health or the environment. Therefore, the City of Mansfield or their appointed representative is hereby authorized to perform the activities outlined in this letter in accordance with the submitted and approved plans, specifications, and information.

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

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

### CONDITIONS

1. Ohio EPA, NWDO, DSIWM and the Richland County Health Department shall be notified in writing at least seven (7) calendar days prior to commencement of the activities associated with this authorization.
2. If any solid waste is discovered while conducting the activities authorized herein, work shall cease and Ohio EPA shall be notified by the end of the work day. Any waste that is excavated shall be properly 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.
3. 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.
4. Not later than sixty (60) days after completing the activities authorized through this approval, the City of Mansfield shall submit to Ohio EPA, NWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10). The certification report shall include copies of receipts for the disposal of waste removed from the Facility.
5. If, during any activity authorized by this approval, suspected hazardous waste is encountered, construction activities shall cease and Ohio EPA, NWDO, DSIWM and the Division of Hazardous Waste Management shall be notified immediately.
6. If, during any activity authorized by this approval, explosive gas is encountered, Ohio EPA, NWDO, DSIWM shall be notified by the end of the work day.
7. This approval grants authorization to perform activities at the Facility in accordance with the document titled "Rule 13 Application for Roadwork and Utility Installation", received on March 13, 2008, with revisions received on April 16, 2008, only. All activities shall 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. Any future activities at the Facility may require additional Ohio EPA approval.

8. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
9. 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 runoff and runoff, 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 of Mansfield shall use Best Management Practices (BMP) standards as specified in the National Resource Conservation Service manual titled *Rainwater and Land Development*.
10. The City of Mansfield shall comply with all applicable sections of OAC Rule 3745-27-13(H), as effective August 15, 2003.
11. The City of Mansfield 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 Mansfield has not begun the activities authorized herein.
13. The Director may revoke this authorization if the City of Mansfield violates, or is likely to violate, any applicable law or if continued implementation of the approved plans may cause 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 federal or state laws or regulations. This authorization shall not be interpreted to release the City of Mansfield 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 of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (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. 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 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 Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,



Chris Korleski  
Director

JPK/JS/JS/sw

Cc: Richland County Health Department  
Joanne Mudar, Richland County Regional Solid Waste Management Authority  
Scott Hester, DSIWM, CO  
Ed Merriman, DSIWM, NWDO  
Tyler Madeker, DSIWM, NWDO  
Musa Khaleq, DDAGW, NWDO  
Walter Ariss, DSW, NWDO