

OHIO E.P.A.



State of Ohio Environmental Protection Agency

JUN 10 2010

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Effective Date: JUN 10 2010

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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.

Mr. Edgar Irelan, Manager – Landfill Operations
COT, Division of Solid Waste
3962 Hoffman Road
Toledo, Ohio 43611

[Signature] Date: 6/10/2010

**Re: Hoffman Road Landfill, Lucas County
Temporary Increase of the Authorized Maximum Daily Waste Receipt
(AMDWR) and Authorization Pursuant to Ohio Administrative Code (OAC)
Rule 3745-27-19(E)(7)(e)**

Dear Mr. Irelan:

On June 9, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received your letter regarding the City of Toledo's (COT)'s efforts to assist the neighboring communities in Wood and Ottawa Counties that experienced tornadoes over the June 5, 2010, weekend. Your letter included two requests:

1. Pursuant to Ohio Administrative Code (OAC) Rule 3745-37-14(D), COT is requesting to temporarily increase the AMDWR of the Hoffman Road Landfill (Facility), and
2. Pursuant to OAC Rule 3745-27-19(E)(7)(e), COT is requesting authorization to offload and temporarily stage waste at the Facility in an area other than the Facility's working face prior to final deposition at the working face.

The surrounding counties of Wood, Fulton, and Ottawa are the subject of a State Emergency Declaration due to the tornadoes that moved through northwest Ohio June 5 and 6, 2010. The Facility has been identified as the primary disposal facility for waste generated by the cleanup operations in these affected counties.

Currently the Facility operates with an AMDWR of 1,800 tons as established by PTI Number 03-15786, issued on January 11, 2005.

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

COT has requested a temporary AMDWR increase to 2000 tons for a period of two weeks.

Debris and solid waste resulting from the tornadoes will be taken to the Facility by semi-tractor trailers. Normal operations at the Facility cannot adequately accommodate the large semi-tractor trailers at the working face.

COT is seeking approval to stage waste from the semi-tractor trailers at the Facility within the limits of waste placement, and then reload the waste into smaller trucks to facilitate final deposition at the working face.

COT notes that the Facility is equipped with the appropriate equipment and personnel to manage the additional waste anticipated during the cleanup from the storms. In addition to being able to manage the additional material, COT also notes that the Facility has the equipment and personnel available to appropriately manage the material away from the working face and still maintain compliance with OAC Chapter 3745-27.

Based upon a review of the requests and associated information, I hereby authorize an increase in the AMDWR at the Facility to 2000 tons for a period not to exceed thirty (30) days, in accordance with OAC Rule 3745-37-14(D). Additionally, I authorize the alternate method to manage the material resulting from the storm cleanup pursuant to OAC Rule 3745-27-19(E)(7)(e). These two authorizations are subject to the following conditions:

CONDITIONS

1. The authorization to increase the AMDWR shall expire thirty (30) days after the effective date of this action.
2. The authorization to offload semi-tractor trailers away from the working face is for waste generated from the tornado cleanup only and shall expire thirty (30) days after the effective date of this action.
3. All waste and debris staged away from the working face must be moved into the working face and covered with daily cover by the end of each day.
4. If the increased waste receipt or the alternate management method results in operational violations at the Facility, then these authorizations shall become automatically void upon written notification from Ohio EPA.
5. Nothing in this authorization shall be construed to authorize any waiver or exemption from the requirements of any applicable state solid waste laws or regulations, except as as specified herein. This authorization shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and

Mr. Edgar Irelan
City of Toledo
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Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from from any release of contaminants to the environment.

6. Issuance of this authorization does not constitute expressed or implied agreement that the operation of the Facility in accordance with this authorization will constitute compliance with the applicable state and federal laws, rules, and regulations, nor does issuance of this authorization ensure that necessary operating permits or licenses will be granted.

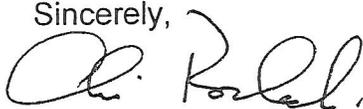
END OF CONDITIONS

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 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, made payable to "Ohio Treasurer Kevin Boyce," 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 letter, please contact Sue Hardy of Ohio EPA, DSIWM, NWDO at (419) 373-3043.

Sincerely,



Chris Korleski, Director
Ohio Environmental Protection Agency

cc: Jodi Vaughan, Toledo-Lucas County Health Department
Scott Hester, DSWIM-CO
Sue Hardy, DSIWM-NWDO