



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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AUG 19 2010

MAILING ADDRESS:

ENTERED DIRECTOR'S JOURNAL
P.O. Box 1049
Columbus, OH 43216-1049

I certify this to be a true and correct copy of the original document as filed in the records of the Ohio Environmental Protection Agency.

 Date: 8/19/2010

Issuance Date: AUG 19 2010
Effective Date: AUG 19 2010
Expiration Date: SEP 18 2010

**Preble County Board of Commissioners
Preble Court House
101 East Main Street
Eaton, Ohio 45320**

**Re: Preble County Sanitary Landfill, Preble County
Authorization for a Temporary Increase of the Authorized Maximum Daily Waste
Receipt (AMDWR)**

Dear Commissioners:

On August 11, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a request, pursuant to Ohio Administrative Code (OAC) Rule 3745-37-14(D)(1), to temporarily increase the AMDWR of the Preble County Sanitary Landfill (Facility) from 195 tons to 350 tons for a period not to exceed thirty (30) days. The 195 ton AMDWR was established by PTI Number 05-14417 issued on May 22, 2009.

The Facility cited receipt of solid waste from a Proctor & Gamble product recall in addition to the facility's core business which is at approximately 166 tons per day. The AMDWR increase will accommodate the waste generated by the product recall. The owner of the Facility noted in the request that the Facility is equipped with the appropriate equipment and personnel to handle the increased volume.

Based upon a review of the request and associated information, I hereby authorize an increase in the AMDWR at the Facility to 350 tons for a period not to exceed thirty (30) days in accordance with OAC Rule 3745-37-14(D)(1). This authorization is subject to the following conditions:

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

CONDITIONS

1. This authorization to increase the AMDWR shall expire thirty (30) days after the effective date of this action.
2. Pursuant to OAC Rule 3745-37-14(D)(2), if the increased waste receipt results in operational violations at the Facility, then this authorization to temporarily increase the AMDWR shall automatically become void upon written notification from the director.
3. Nothing in this authorization 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 the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery 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.
4. 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 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, Ohio 43215

If you have any questions concerning this letter, please contact Russ Brown of Ohio EPA, DSIWM-SWDO at (937) 285-6649.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Korleski". The signature is written in a cursive style with a large, looping initial "C".

Chris Korleski
Director

cc: Russ Brown, DSIWM-SWDO