Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

MAY 27 2011

ENTERED DIRECTOR'S JOURNAL

MAY 27 2011

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: _____ Date: 5.27.2011

Mr. Bob Downing, Manager
Montgomery County Solid Waste Services
2550 Sandridge Dr.
Moraine, Ohio 45439

RE: Montgomery County Ash Monofill, Montgomery County
Extension of Submittal Deadline for O&M Plan

Dear Mr. Downing,

On November 2, 2010, the Ohio Environmental Protection Agency (Ohio EPA) issued a Director's Letter that selected corrective measures and required implementation of a Corrective Measures Plan (CMP) for the Montgomery County Ash Monofill. Condition Number 4 of the Director's Letter states: "Following commencement of operation of the groundwater extraction system, the County shall prepare and submit to Ohio EPA/SWDO a long term Operation and Maintenance (O & M) Plan for the system to ensure the system is performing in conformance with the provisions contained within the Performance Verification Plan. This plan shall be revised any time changes are made to the ground water extraction system. The O & M Plan shall be submitted not later than 180 days after the effective date of this authorization." The 180-day deadline was May 1, 2011.

On April 28, 2011, Ohio EPA, Division of Materials and Waste Management, Southwest District Office received a request to extend by 120 days the deadline established in Condition Number 4 of the November 2, 2010 Director's Letter. The request was prepared by Eagon & Associates on behalf of Montgomery County Solid Waste Services (Owner).

The reasons cited for requesting the 120-day extension of the deadline were a lengthy procurement process, unexpected alterations needed in the extraction system, and extremely wet weather. The extra time would also allow testing of the system in both wet and dry weather conditions and thus provide more information to use in calibrating the system.

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Ohio EPA has reviewed the request and justification for the extension and concurs. Therefore, I hereby grant a 120-day extension of the deadline to submit the O&M Plan as set forth in Condition Number 4 of the November 2, 2010 Director's Letter. The O & M Plan shall be submitted not later than August 29, 2011.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals 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. 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 "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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 Tracy Buchanan of Ohio EPA, SWDO at (937) 285-6045.

Sincerely,

Scott J. Nally,
Director

ec: Paul Stuart, PHDMC
John McGinnis, DDAGW/SWDO