



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

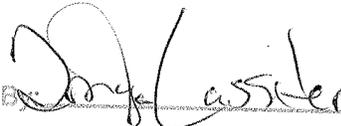
AUG 29 2011

ENTERED DIRECTOR'S JOURNAL

AUG 29 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.

Mr. Josh Whetzel
Springfield Gas Company, Inc.
419 Englewood Drive
Pittsburgh, PA 15237

 Date: 8/29/11

**RE: Tremont Landfill, Clark County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Whetzel:

On August 5, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Southwest District Office (SWDO) received the document titled "Section 13 Application, dated August 2, 2010" for the closed Tremont Landfill located at 3108 Snyder-Domer Road in Clark County. This document was prepared and submitted by Civil and Environmental Consultants, Inc. on behalf of Springfield Gas Company (SGC). A revised document titled "Revision of Application for Authorization to Engage in Cap Disturbance" was prepared and submitted by SGC on June 8, 2011, and an addendum was submitted via e-mail on July 12, 2011.

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. Any person proposing to engage in these activities on land where a hazardous waste facility or solid waste facility was operated shall comply with the requirements of this rule. Specifically, SGC proposes to install thirteen (13) additional explosive gas extraction wells and make repairs to the existing explosive gas extraction system and its control components at the Tremont Landfill.

Based upon a review of the request submitted on August 5, 2010 and revisions dated June 8, 2011 and July 12, 2011, 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 are unlikely to adversely affect the public safety or health or the environment. Therefore, SGC is hereby authorized to perform the activities in accordance with submitted and approved plans, specifications, and information.

As part of this authorization, you are subject to the following conditions:

CONDITIONS

1. This approval grants SGC authorization to perform activities at the Tremont Landfill in accordance with the revised request titled "Revision of Application for Authorization to Engage in Cap Disturbance" received on June 8, 2011 and the addendum received on July 12, 2011. All activities shall be conducted in strict accordance with the plans, specifications, and other information submitted which constitute the request. There may be no deviation from the approved request without prior written authorization from Ohio EPA. Any future activities at the Tremont Landfill may require additional Ohio EPA approval.
2. Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, SGC shall submit written notification, which specifies the anticipated date of work commencement, to Ohio EPA, SWDO.
3. The Director, or a representative authorized by the Director, may enter the Tremont Landfill at any time to make inspections, conduct tests, or examine records and reports pertaining to the authorized activities.
4. 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 run-on and run-off 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 Tremont Landfill, SGC shall use best management practices and standards as specified in the National Resource Conservation Service manual titled "Rainwater and Land Development."
5. All activities shall be performed in a manner that prevents migration of leachate, explosive gas, or toxic gas from the Tremont Landfill.
6. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
7. All solid and/or hazardous waste to be removed from the Tremont Landfill shall be 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.
8. 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.

9. SGC shall take measures to minimize the potential for increased infiltration of surface water that may result from activities authorized by this action.
10. Pursuant to OAC Rule 3745-27-13(H)(4), prior to any removal of waste or contaminated soil from the Tremont Landfill, SGC shall submit copies of sample analysis results, the treatment or disposal method selected, and a copy of a letter of acceptance from the treatment or disposal facility to Ohio EPA, SWDO.
11. Any portions of the landfill where the final cover system is removed or damaged by activities conducted pursuant to this authorization shall have the final cover system re-established in accordance with OAC Rule 3745-27-13(H)(9).
12. Not later than sixty (60) days after completing the activities authorized by this approval, SGC shall submit to Ohio EPA, Division of Materials and Waste Management (DMWM), SWDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
13. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if SGC has not begun the activities authorized herein.
14. In accordance with OAC Rule 3745-27-13(K), the Director may revoke this authorization if SGC violates, or is likely to violate, any applicable law or if the continued implementation of the approved plans causes a threat to public health, safety, or the environment.
15. SGC shall take measures to control fugitive dust and other air emissions that may result from activities authorized by this action.
16. 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 SGC or others from responsibility under 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.

END OF CONDITIONS

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

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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
77 South High Street
17th Floor
Columbus, Ohio 43215

If you have any questions, please contact Maria Lammers at the Southwest District Office at (937) 285-6046.

Sincerely,



Scott J. Nally
Director

cc: Tracy Buchanan, DMWM-SWDO
Scott Hester, DMWM-CO
Anne Kaup-Fett, Clark County Combined Health District
Tom Danis, Tremont Landfill Company