



State of Ohio Environmental Protection Agency

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JAN 17 2002

OHIO EPA.
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TIMED DELIVERY'S JOURNAL

Mr. Rex Katterheinrich
Director of Public Service and Safety
City of Wapakoneta
102 Perry Street
P.O. Box 269
Wapakoneta, Ohio 45895

**Re: City of Wapakoneta Landfill, Auglaize County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Katterheinrich:

By document dated August 29, 2001, and titled *OAC 3745-27-13(C) Permit Application for Installation of Underground Electric at Wapakoneta Landfill*, the City of Wapakoneta (City) submitted a request, pursuant to OAC Rule 3745-27-13, for authorization to engage in filling, grading, excavating, and building activities at the former City of Wapakoneta Landfill located in Auglaize County. Revisions to this document were received on October 18, 2001.

Specifically, the request proposes installation of a permanent underground electric service to the leachate collection wells at the closed landfill.

Based upon a review of the request and supporting information, I have determined 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, you are hereby authorized to perform the activities outlined in this letter in accordance with submitted plans, specifications, and information. This authorization is subject to the following conditions:

1. Ohio EPA's Northwest District Office shall be notified at least three days before initiation of any on-site work.
2. Effective immediately after receipt of this authorization, all leachate extraction wells (LEW 1 through LEW 8) shall be pumped dry on a weekly basis.

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

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

By: Zona LC Clement Date: 1-17-02

3. A monthly report containing initial and final depth of leachate and the amount of leachate pumped during the weekly pumping events shall be submitted to Ohio EPA within 15 days of the last pumping date for each month.
4. Constant supervision of the tanker truck shall be provided at any time the leachate pumps are in operation.
5. Not later than 90 days after completion of the activities approved under this authorization, as built drawing(s) shall be submitted to Ohio EPA's Northwest District Office. The drawing(s) shall document that the project was performed in accordance with this authorization, and shall include, at a minimum, survey data of the electric line and cement pad placement.
6. Any 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, surface water run off, and protection of ground water.
7. All solid and/or hazardous wastes removed during construction activities shall be containerized (e.g. roll-offs, drums) and securely stored until these materials are properly characterized and disposed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and regulations promulgated thereunder.
8. All liquids, semi-solids, industrial wastes, and other wastes regulated under ORC Chapter 6111 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 regulations promulgated thereunder.
9. This authorization may be revoked by the director of Ohio EPA if, at any time, any applicable laws have been or are likely to be violated or if continued implementation of the authorized activities may cause a threat to human health or safety of the environment.
10. Pursuant to OAC Rule 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
 - a. The City begins the activities outlined in this authorization; or
 - b. The City has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.

11. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the City 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 from the facility to the environment.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be made in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the commission within 30 days after notice of the director's action. A copy of the appeal must be served on the director within three days of filing with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

If you have any questions concerning this authorization, please contact Ben Smith of Ohio EPA's Northwest District Office at (419) 373-3062.

Sincerely,



Christopher Jones
Director

cc: Marvin Selhorst, Auglaize County Health Department
Ben Smith, DSIWM, NWDO
Scott Hester, DSIWM, Central Office