



State of Ohio Environmental Protection Agency

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Mr. Timothy Haaf
Waste Management of Ohio, Inc.
851 Robinson Road East
Erie, OH 16509

Re: **Lake County RDF Landfill, Lake County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Haaf:

By written submittal titled "Request for Authorization - OAC 3745-27-13, Waste Management, Lake County Landfill, Lake County, Ohio" dated April 30, 2002, and revisions dated August 12, 2002, and August 13, 2002, Waste Management of Ohio, Inc. (WMI) requested authorization to excavate into the vegetative layer of the final cover and to install a new leachate force main. The request was prepared by Environmental Specialists, on behalf of WMI. The Ohio Environmental Protection Agency (Ohio EPA) received the request on May 7, 2002, and subsequent revisions on August 15, 2002 and August 20, 2002. The request was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, which requires authorization from the Director of Ohio EPA before engaging in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility or a solid waste facility was operated.

Based upon a review of the April 30, 2002 request and subsequent revisions, I have determined that the proposed activities will not result in a violation of applicable laws and regulations, will not create a nuisance, and are unlikely to adversely affect the public safety or health or the environment. Therefore, WMI is authorized to perform the activities outlined in this letter in accordance with submitted plans, specifications, and information.

This approval is subject to the following conditions:

CONDITIONS

1. 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.
2. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.

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

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WMI



3. All solid and/or hazardous waste removed during the construction activities shall be containerized, covered, and securely stored until these materials are properly characterized and disposed in accordance with Ohio Revised Code (ORC) Chapter 3734 and regulations promulgated thereunder.
4. 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.
5. Pursuant to OAC 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
 - a. The applicant begins the activities outlined in this authorization; or
 - b. The applicant has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.
6. This approval only grants authorization to excavate into the vegetative layer of the final cover in order to install a new leachate force main in accordance with the request titled "*Request for Authorization - OAC 3745-27-73, Waste Management, Lake County Landfill Lake County, Ohio*" dated April 30, 2002, and the revisions dated August 12, 2002, and August 13, 2002. All activities must be conducted in strict accordance with the plans, specifications, and information submitted as part of the request. There may be no deviation from the approved plans without prior written authorization of the Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.
7. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release the applicant 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 from the facility to the environment.

END OF CONDITIONS

Lake County RDF Landfill, Lake County
OAC Rule 3745-27-13
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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 (Commission) pursuant to Ohio Revised Code 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 30 days after notice of the Director's action. Notice of the filing of the appeal shall be filed with the Director within three days after the appeal is filed 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

Sincerely,



Christopher Jones
Director

CJ/CM

cc: Lynn Sowers, DSIWM, NEDO
Laura Kuns, Lake County General Health District
Laura Keener, Environmental Specialists