



State of Ohio Environmental Protection Agency

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Mari Blai, Vice President  
Central Waste, Inc.  
12003 Oyster Rd.  
Alliance, OH 44601

**Re: Old Central Waste Landfill, Mahoning County  
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Ms. Blai:

On February 10, 2003, the Ohio Environmental Protection Agency (Ohio EPA) received a document titled OAC 3745-27-13 Authorization Request, Central Waste Landfill, Pre-1982 Solid Waste Disposal Areas, February 7, 2003. Central Waste, Inc. (CWI) requests authorization to perform certain activities pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13 at the Old Central Waste Landfill (Facility). Revisions to the document dated March 12, 2003, March 17, 2003, and March 19, 2003, were received March 13, 2003, March 19, 2003, and March 20, 2003, respectively. The documents were submitted by North Point Engineering on behalf of CWI. The Facility is a closed solid waste disposal facility located at 21605 Middletown Road, Smith Township, Mahoning County. The Facility is owned and was last operated by CWI, and operated from 1970 to 1981. CWI owns and operates an adjacent separate solid waste disposal facility which is not a part of this request. This request for authorization to engage in filling, grading, excavating, building, mining, and drilling activities was submitted in accordance with the provisions of Ohio Administrative Code (OAC) Rule 3745-27-13.

The request specifically proposes to conduct a series of test pits to ascertain the presence or absence of waste in units B-E, 1, 2, and 6 at the Facility. This information will be utilized in revising the explosive gas monitoring plan for the Facility. All final cover disturbed during the activities proposed in this request will be restored.

Based upon a review of the document and subsequent revisions, Ohio EPA has determined that the proposed activities, if conducted in accordance with the request and the following conditions, 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, CWI is hereby authorized to perform the activities outlined in this letter in accordance with the submitted plans, specifications, and information. This approval is subject to the following conditions:

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

### Conditions

1. This approval grants authorization to conduct waste unit investigation activities at the Facility, 21605 Middletown Road, Smith Township, Mahoning County in accordance with the request titled *OAC 3745-27-13 Authorization Request, Central Waste Landfill, Pre-1982 Solid Waste Disposal Areas, February 7, 2003*, revised March 12, 17, and 19, 2003, only. All activities must be conducted in strict accordance with the plans, specifications, and information submitted as part of this request. There may be no deviation from the approved plans without the express, written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.
2. Ohio EPA, Northeast District Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM) and Division of Air Pollution Control, Mahoning Trumbull Air Pollution Control Agency, and Mahoning County Board of Health shall receive written notice not later than 72 hours prior to commencement of the proposed activities.
3. 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.
4. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
5. All solid and/or hazardous wastes removed during authorized activities shall remain within the waste footprint and shall be either reconsolidated into the waste footprint or 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.
6. 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.
7. Prior to any removal of any waste or contaminated soil from the property, CWI shall submit a copy of a letter of acceptance from the disposal facility to Ohio EPA DSIWM NEDO, pursuant to OAC Rule 3745-27-13(C)(10).
8. No later than 30 days after the completion of any sampling activities, CWI shall submit any analytical results to Ohio EPA DSIWM NEDO.

9. CWI shall take measures to minimize the potential for increased subsurface infiltration of surface water due to disturbance of the waste units and other authorized activities.
10. CWI shall take measures to control fugitive dust and other air emissions due to disturbance of the waste units and other authorized activities.
11. This authorization request includes detail engineering plans related to conducting a series of test pits and cap restoration only. This approval only grants authorization for CWI to disturb the existing waste piles for the purpose of ascertaining the absence or presence of waste in specific units of the Facility. This authorization does not constitute approval of the detail engineering plans for any other purpose.
12. Any portions of the landfill where the final cover system has been disturbed by activities authorized by this approval shall have a final cover system re-established in accordance with *DSIWM Guidance 0123: Standards for Construction of a 1976 Cap System*. CWI shall do the following:
  - a. Place capping materials only when temperatures are 40 degrees F or above, unless in accordance with a specific QA/QC plan which has been submitted to and concurred by Ohio EPA, and which includes cold weather procedures.
  - b. Submit information documenting construction activities, including all laboratory and/or field data, to Ohio EPA, DSIWM NEDO no later than 30 days following completion of authorized activities. The information shall document that material specifications have been met, adequate thickness of the cap has been placed, and that appropriate testing has been performed at the minimum specified frequencies.
13. Pursuant to OAC Rule 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
  - a. CWI begins the activities outlined in this authorization; or
  - b. CWI has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.
14. 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 CWI 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.

### **End of Conditions**

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 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 John Schmidt of Ohio EPA's NEDO at (330) 963-1175.

Sincerely,

Christopher Jones  
Director

CJ/JMS/cl

cc: Scott Hester, DSIWM-CO  
Christine Frankford, Mahoning County Board of Health  
Ronald Zitek, North Point Engineering