



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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P.O. Box 1049
Columbus, Ohio 43216-1049

Ms. Kerri L. Cupp
701 Holly Glen
Defiance, OH. 43512

**RE: Former Tiffin Township Dump, Defiance County
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Ms. Cupp:

On June 5, 2003, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO), received a document titled *27-13 Authorization*. You requested authorization to place a driveway on your property, immediately south of the former Tiffin Township dump (Facility), located in Defiance County. This request for authorization to engage in filling, grading, excavating, building, mining, or drilling activities was submitted in accordance with the provisions of Ohio Administrative Code (OAC) Rule 3745-27-13.

Based upon a review of the document, 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 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 approval is subject to the following conditions:

Conditions

1. This approval grants authorization to place a driveway at the Facility in accordance with the request titled *27-13 Authorization*, 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. 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.

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

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3. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
4. Any portions of the landfill where the cap was removed by activities authorized by this approval shall have a final cover system re-established in accordance with OAC Rule 3745-27-10, as effective July 29, 1976. Design and construction of the cap shall be in accordance with the specifications detailed in DSIWM guidance document number 0123, Standards for Current Construction of a 1976 Cap System.
5. All solid waste removed from the facility shall be containerized and securely stored until the materials are properly characterized and disposed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and the 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. 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 you 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 (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 thirty (30) days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three (3) 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

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If you have any questions concerning this authorization, please contact Mike Reiser of Ohio EPA's NWDO at (419) 352-3126.

Sincerely,

Christopher Jones
Director

cc: Ellen Gerber, DSIWM-NWDO
Scott Hester, DSIWM-CO
Kim Moss, Defiance County Health Department