



State of Ohio Environmental Protection Agency

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Columbus, OH 43216-1049

Mr. Joel Taylor, Director
Department of Finance and Management
City Hall
90 W. Broad Street, 4TH Floor
Columbus, OH 43215-4260

**RE: Jackson Pike Landfill, Franklin County
Ohio Administrative Code 3745-27-13 Authorization**

Dear Mr. Taylor:

On December 18, 2006, the Ohio Environmental Protection Agency (Ohio EPA) received a request, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, for authorization to perform site investigative drilling activities at the Jackson Pike Landfill (Facility). This landfill is located southeast of the intersection of Frank Road and State Route 104 in Franklin Township, immediately south of the Jackson Pike Wastewater Treatment Plant. The property is owned by the City of Columbus (City). Final revisions to this request were received on March 1, 2007.

The request proposes to utilize a Geoprobe® for intrusion into the landfill at approximately 16 separate locations to determine the depth to bedrock, presence of waste, and presence of usable material, and to collect soil and constituent samples. The Geoprobe® will not generate cuttings and once complete, the borings will be backfilled with bentonite pellets or slurry.

This activity is being proposed to determine the possibility of mining the limestone at this site.

Based upon the review of the submitted request, Ohio EPA has determined that the proposed activities, if conducted in accordance with 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, you are hereby authorized to perform the above activities in accordance with the submitted request and the following conditions:

Conditions

1. This approval grants the City authorization to perform activities at the Facility in accordance with the request submitted December 18, 2006. All activities must be conducted in strict accordance with the plans, specifications, and information submitted as part of this request. There may be no
Mr. Joel Taylor

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities at the Facility may require additional Ohio EPA approval.

2. The Director of Ohio EPA (Director), or a representative authorized by the Director, may enter the Facility at any time to make inspections, conduct tests, or examine records and reports pertaining to the authorized activities.
3. The Director may revoke this authorization if the City violates, or is likely to violate, any applicable law or if the continued implementation of the approved plans causes a threat to human health or safety or the environment.
4. 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.
5. The City shall notify Ohio EPA, in writing, at least three (3) days in advance of conducting the investigative procedures. This notice shall be sent to Central District Office, Division of Solid and Infectious Waste Management and to Columbus Health Department.
6. All solid waste to be removed from the Facility 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.
7. All liquids, semi-solids, industrial wastes, or 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.
8. Not later than 60 days after completing the activities authorized through this approval, the City shall submit to Ohio EPA, CDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
9. 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 the City or others from responsibility under Ohio Revised Code (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 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions regarding this authorization, please contact Laura Parkinson at Ohio EPA, Central District Office, Division of Solid and Infectious Waste Management at (614) 728-3889.

Sincerely,

Chris Korleski
Director

cc: Christina Wilson, Columbus Health Department
Scott Hester, DSIWM/CO
Duane Snyder, DSIWM/CDO

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