



State of Ohio Environmental Protection Agency

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December 6, 2007

State of Ohio Adjutant General's Department  
Facilities Management Office, Environmental Services  
Attention: Mr. Mark A. Gibson  
2825 West Granville Road  
Columbus, Ohio 43235-2712

**Re: Camp Perry Training Site, Ottawa County  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Gibson:

On October 16, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a request dated October 2007, titled "*Final Rule 13 Authorization Application to Perform a Solid Waste Removal Action at the Orphan Dump Site at the Camp Perry Training Site*" (Rule 13 Request) from Science Applications International Corporation, Inc. (SAIC) on behalf of the Ohio Army National Guard (OHARNG). OHARNG requested authorization, pursuant to OAC Rule 3745-27-13, to remove improperly disposed waste from a recently identified historical dump site (Orphan Dump Site) at the Camp Perry Training Site (CPTS), located at State Routes 2 and 358, Port Clinton, Ottawa County, Ohio. In early 2004, the OHARNG Environmental Office learned through interviews with CPTS maintenance personnel about the previously unknown Orphan Dump Site. Reportedly, the Orphan Dump Site was utilized for many years until the early 1980s. Waste delineation work, conducted pursuant to OAC Rule 3745-27-13(G), was performed in October 2006 and January 2007.

Concurrent with receipt of the Rule 13 Request, Ohio EPA received a document titled "*Removal Design Work Plan for the Orphan Dump Site*" (RD Work Plan). The RD Work Plan consists of detailed specifications intended for use by the contractor performing the removal action. The portions of the RD Work Plan beyond the scope of the OAC Rule 3745-27-13 authorization requirements were not considered as Ohio EPA reviewed the Rule 13 Request.

OAC Rule 3745-27-13 requires authorization from the director of Ohio EPA (Director) before engaging in filling, grading, excavating, building, drilling, or mining on land where a solid waste facility was operated.

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

Specifically, OHARNG requested authorization for:

- Excavation of buried waste material from the Orphan Dump Site to remove solid waste material from CPTS;
- Containerization and temporary storage of asbestos-containing waste in roll-off containers;
- Confirmation of the removal of all waste material, consisting of visual confirmation of the removal of waste material and confirmatory sampling for asbestos;
- Transportation and off-site disposal of waste material (including containerized asbestos-containing waste);
- Backfilling and grading of excavated areas; and
- Site restoration activities.

Based upon a review of the October 2007 request, I have determined, pursuant to OAC Rule 3745-27-13, 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, OHARNG is hereby authorized to perform the proposed activities outlined in this letter in accordance with the submitted plans, specifications, and information.

As part of this authorization, OHARNG is subject to the following conditions:

### **CONDITIONS**

1. This approval grants OHARNG authorization to perform activities at the Orphan Dump Site in accordance with the October 2007, request titled "Final Rule 13 Authorization Application to Perform a Solid Waste Removal Action at the Orphan Dump Site at the Camp Perry Training Site." All activities shall be conducted in strict accordance with the plans, specifications, and other information submitted as part of this request. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities at the Orphan Dump Site may require additional Ohio EPA approval.
2. The Director, or a representative authorized by the Director, may enter the CPTS and Orphan Dump Site at any time to make inspections, conduct tests, or examine records and reports pertaining to the authorized activities.
3. Not later than three (3) days prior to the start of activities associated with this authorization, OHARNG shall submit written notification, which specifies the anticipated date of work commencement, to Ohio EPA, NWDO.
4. 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.

5. All on-site activities shall be performed in a manner that prevents migration of leachate, explosive gas, or toxic gas from the Orphan Dump Site.
6. All activities undertaken shall not create a nuisance and shall not adversely affect the public safety or health or the environment.
7. All solid waste to be removed from the Orphan Dump Site 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.
8. All liquids, semi-solids, industrial wastes, and 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.
9. Prior to any removal of waste or contaminated soil from the property, OHARNG shall submit copies of sample analysis results, the treatment or disposal method selected, and a letter of acceptance from the treatment or disposal facility to Ohio EPA, NWDO, pursuant to OAC Rule 3745-27-13(H)(4).
10. Not later than sixty (60) days after completing the activities authorized through this approval, OHARNG shall submit to Ohio EPA a certification report in accordance with OAC Rule 3745-27-13(H)(10). The certification report shall include, at a minimum: the quantities of all solid, liquid, and asbestos-containing wastes removed from the Orphan Dump Site; the location(s) of disposal for the wastes; and a topographic map, with a scale of one inch equals not more than one hundred feet, depicting the final grades of the Orphan Dump Site area.
11. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if OHARNG has not begun the activities authorized herein.
12. The Director may revoke this authorization if OHARNG violates, or is likely to violate, any applicable law or if the continued implementation of the approved plans cause a threat to human health or safety or the environment.
13. Commencement of activities shall not occur until all necessary authorizations and permits have been obtained from Ohio EPA, Division of Surface Water (DSW) and required notifications have been provided to Ohio EPA, Division of Air Pollution Control (DAPC).
14. 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 OHARNG 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 to the environment.

### **END OF CONDITIONS**

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (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 Appeal Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions, please contact Kimberly Burnham at the Northwest District Office at (419) 373-3049.

Sincerely,

Chris Korleski  
Director, Ohio EPA

pc: Craig Laskowski, SAIC  
Ottawa County Health Department  
Scott Hester, DSIWM, CO  
Chad Delbecq, DAPC, NWDO  
Pat Tebbe, DSW, NWDO  
Kimberly Burnham, DSIWM, NWDO