



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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March 22, 2007

John L. Hattersley  
Rumpke of Indiana, LLC - Medora Sanitary Landfill  
10795 Hughes Road  
Cincinnati, OH 45251

Re: Response to Review Request 071-24298-00038  
Part 70 Operating Permit 071-21366-00038

Dear Mr. Hattersley,

Rumpke of Indiana, LLC - Medora Sanitary Landfill operates a municipal solid waste landfill located at 546 County Road 870 West, Medora, IN 47260. On February 7, 2007, a letter was submitted to request that the Office of Air Quality (OAQ) not revoke Part 70 Operating Permit 071-21366-00033 in the event that construction of the landfill expansion has not commenced within eighteen (18) months from the date of issuance of the permit, pursuant to Condition B.25(b) of the permit. Part 70 Operating Permit 071-21366-00033 was issued to the source on November 30, 2005. Construction of the landfill expansion has not yet commenced because a permit has not yet been issued by the Office of Land Quality (OLQ).

Condition B.25(b) of Part 70 Operating Permit 071-21366-00033 states, "Pursuant to 326 IAC 2-1.1-9 any permit authorizing construction may be revoked if construction of the emission unit has not commenced within eighteen (18) months from the date of issuance of the permit, or if during the construction, work is suspended for a continuous period of one (1) year or more." Since the landfill expansion is not subject to 326 IAC 2-2, permit revocation is not an automatic consequence if a construction delay occurs which meets the criteria.

There have been no changes in air rule applicability to the landfill since the date of issuance of the Part 70 permit on November 30, 2005. As a result, a new permit to authorize construction, if one was issued on May 31, 2007 (eighteen (18) months from the date of issuance of the permit) would have the same requirements as those in the Part 70 permit. Therefore, OAQ will agree to the extension and not act to revoke the approval to construct provided that construction begins prior to November 30, 2008 (thirty-six (36) months from the date of issuance of the permit).

Please be advised that the provisions of IC 13-15-3-6(a), which appear in Condition B.2(b), apply to operation permits but not construction permits. The approval to construct is issued for a fixed term of five (5) years from the issuance date of the permit, as stated in Condition B.2(a). As a result, the approval to construct the landfill expansion expires on November 30, 2010 (five (5) years from the date of issuance of the Part 70 permit) regardless of whether operation of the landfill is approved beyond the expiration date under Condition B.2(b).

No revision of the Part 70 permit was necessary to accommodate the request. All conditions of the permit shall remain unchanged and in effect.



Rumpke of Indiana, LLC - Medora Sanitary Landfill  
Medora, IN 47260  
Reviewer: Allen R. Davidson

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Questions should be directed to Allen R. Davidson, OAQ, 100 North Senate Avenue, Room N1001, Indianapolis, IN 46204-2251, or call (800) 451-6027, press 0 and ask for extension 3-5693, or dial (317) 233-5693.

Sincerely,

Original signed by

Nisha Sizemore, Chief  
Permit Branch  
Office of Air Quality

ARD

cc: File - Jackson County  
Jackson County Health Department  
Air Compliance Section Inspector - Vaughn Ison  
Permit Tracking