



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

SENT VIA ELECTRONIC MAIL
RECEIPT CONFIRMATION REQUESTED

Kent Herbold, Facility Manager
Plymouth County Sanitary Landfill
34898 150th Street
Le Mars, Iowa 51031
kherbold@co.plymouth.ia.us

RE: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for Plymouth County Sanitary Landfill, 34898 150th Street, Le Mars, Iowa 51031

Dear Mr. Herbold:

This letter serves to inform you that the U.S. Environmental Protection Agency has made an affirmative determination of acceptability for the receipt of off-site waste at the Plymouth County Sanitary Landfill. Pursuant to Title 40 Code of Federal Regulations, Section 300.440(a)(4), the EPA has completed an initial assessment of Plymouth County Sanitary Landfill and finds the facility acceptable for the receipt of off-site waste. Such off-site wastes are defined as wastes generated because of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act.

On September 22, 1993, the EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan, 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No.: 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, the EPA shall determine if there are relevant releases or relevant violations at the facility.

The EPA corresponded with the Iowa Department of Natural Resources to determine the facility's compliance with applicable environmental standards. The results of the correspondence indicate that Plymouth County Sanitary Landfill is currently in compliance with applicable environmental standards. Therefore, effective upon receipt of this letter, Plymouth County Sanitary Landfill is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop, the EPA reserves the right to revisit this decision.

By issuing this notice, the EPA is in no way authorizing Plymouth County Sanitary Landfill to undertake any waste management practice at this facility for which Plymouth County Sanitary Landfill has not been previously authorized by the EPA or the IDNR.



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If you have any questions concerning this matter, please contact Mike Martin, Regional Off-Site Contact, Region 7, at (913) 551-7149 or by email at martin.mike@epa.gov.

Sincerely,

Amber Whisnant
RCRA Section Chief
Enforcement and Compliance Assurance Division

cc: Brian L. Rath, P.E., Director of Engineering Operations, Evora Group
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Mike Sullivan, Supervisor, Contaminated Sites Section, Iowa Department of Natural Resources
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