



State of Ohio Environmental Protection Agency

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AUG - 3 2010

ENTERED DIRECTOR'S JOURNAL

AUG 3 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Jerry Lassiter Date: 8-3-10

Mr. Christopher R. Boehm
2664 Harrisburg Road NE
Canton, Ohio 44705

**Re: City of Canton Water Department, Stark County
Decline to Approve an Alternative Disposal Request**

Dear Mr. Boehm:

On November 18, 2009, the City of Canton Water Department submitted to the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM) an Integrated Alternative Waste Management Program (IAWMP) request to use an alternative disposal method for solid waste along a hiking trail near Nimishillen Creek located in Stark County (site). Specifically, the request proposes to use iron and manganese sludge, a solid waste generated by the City of Canton Water Department, as a soil material near the trail. Additional information in response to a January 15, 2010, Ohio EPA Notice of Deficiency was received on May 26, 2010.

Pursuant to Ohio Administrative Code Rule 3745-27-05(A)(4), solid waste may be disposed of through alternative disposal methods if the director determines that the use as engineered fill or land application of the solid wastes will not create a nuisance or harm human health or the environment and is capable of complying with other applicable laws. Approval of alternative disposal methods also requires the director to determine that the disposal method is unlikely to adversely affect the public health or safety or the environment pursuant to Ohio Revised Code (ORC) Section 3734.02(G).

Based on the information submitted on November 18, 2009 and May 26, 2010, Ohio EPA cannot determine that the proposed alternative disposal method of solid waste at the site will not create a nuisance or harm human health or the environment and will be capable of complying with other applicable laws. Additionally, I cannot determine that granting an exemption, pursuant to ORC Section 3734.02 (G), in order to dispose of the solid waste as proposed, is unlikely to adversely affect public health or safety or the environment. Therefore, I decline to approve your IAWMP request.

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

Ohio EPA is an Equal Opportunity Employer

Mr. Christopher R. Boehm
City of Canton Water Department
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If you have any questions concerning this letter, please contact Dave Dysle of Ohio EPA, NEDO at (330) 963-1286.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Korleski". The signature is written in a cursive, flowing style.

Chris Korleski
Director

cc: Lynn Sowers, DSIWM-NEDO
Kimberly Campbell, Canton City Health Department