

PUBLIC NOTICE

Cuyahoga County

ISSUANCE OF OAC 3745-27-13 AUTHORIZATION AND EXEMPTION

Notice is hereby given that on February 12, 2013, pursuant to OAC 3745-27-13, the director of Ohio EPA authorized the Cleveland-Cuyahoga County Port Authority, 1375 E. Ninth Street, Suite # 2300, Cleveland, Ohio 44114, to engage in filling and grading activities on a five-acre area of a former 8-acre Cleveland City Dump that is under and a part of the Cleveland Confined Disposal Facility Dike 14 (Facility). Dike 14 including the former 8-acre landfill is located on Cleveland's eastside waterfront, Cuyahoga County.

In addition to authorizing the Port Authority to engage in filling and grading activities as detailed in the request for authorization, the Cleveland- Cuyahoga County Port Authority has also requested an exemption from the requirements to file a deed notice and new plat of the limits of waste placement in accordance with OAC 3745-27-13(H)(10)(a)(i) and (ii). The Director has determined that the request for exemption from OAC 3745-27-13(H)(10)(a)(i) and (a)(ii) is reasonable given that there is no deed for the landfill, and no samples were taken to identify the actual limits of waste placement. The Director determined that the authorization and exemption will not adversely affect the public health or safety or the environment. This authorization and the associated exemption is subject to all rules, regulations, and specified conditions of the Director's authorization.

This final action was not preceded by a proposed action and is appealable to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

The Director's Authorization and Exemption Letter and related documents are available for review at Ohio EPA's Northeast District, 2110 East Aurora Road, Twinsburg, Ohio 44087 or by calling (330) 963-1200 for an appointment.