



State of Ohio Environmental Protection Agency

STREET ADDRESS

Lararus Government Center  
122 S. Front Street  
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:

P.O. Box 1049  
Columbus, OH 43216-1049

APR 10 2002

OHIO E.P.A.  
APR 10 2002  
ENTERED DIRECTOR'S JOURNAL

Mr. Michael Miller  
City of Canton  
218 Cleveland Ave. S.W.  
Canton, Ohio 44701-4218

**RE: Acme Landfill, Stark County  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Miller:

By written submittal dated November 13, 2001 MS Consultants, Inc., on behalf of the City of Canton (City), submitted a request to the Ohio Environmental Protection Agency (Ohio EPA) for authorization, pursuant to OAC Rule 3745-27-13, to construct a six hole golf course and a practice area at the closed Acme Landfill located in Stark County. Revisions to the document were received by Ohio EPA on January 25, 2002, January 31, 2002 and February 11, 2002.

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

Based upon a review of the November 13, 2001 request and its revisions, I have determined that the proposed filling, grading, drilling, excavating, and building 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, the City is hereby authorized to perform the activities proposed in the request in accordance with submitted plans, specifications, and information.

This approval is subject to the following conditions:

- I. 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.

I certify this to be a true and accurate copy of the  
official record of the State of Ohio  
Environmental Protection Agency.  
By: Zona K. Clement Date: 4-10-02

Bob Taft, Governor  
Maureen O'Connor, Lieutenant Governor  
Christopher Jones, Director

2. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
3. All solid waste to be removed from the facility shall be containerized and securely stored until the materials are properly characterized and disposed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and the regulations promulgated thereunder.
4. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 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 regulations promulgated thereunder.
5. Ohio EPA, Northeast Division Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM) and the City of Canton Health Department shall receive written notice not later than 72 hours prior to the commencement of the proposed activities.
6. This approval grants authorization to conduct filling, grading, drilling, excavating and building at the Acme Landfill in accordance with the request dated November 13, 2001 and the subsequent addenda only. All activities must be conducted in strict accordance with the plans, specifications, and any other requested information submitted. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.
7. With the exception of excavation for the protective barrier around the practice area, all of the existing cover material must remain undisturbed.
8. All woody vegetation added to the property shall be planted on raised mounds to avoid disturbance of the waste material.
9. All irrigation piping shall be installed with a minimum of one foot isolation distance from waste material and shall be drained prior to seasonal temperatures which could cause freezing and damage to the pipe.
10. Pursuant to OAC Rule 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
  - a. The City begins the activities outlined in this authorization; or
  - b. The City has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.

11. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the City from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, The Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants from the facility to the environment.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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. Notice of the filing of the appeal shall be filed with the director within three (3) days after the appeal is filed with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission  
236 East Town Street, Room 300  
Columbus, Ohio 43215

Sincerely,



Christopher Jones  
Director

CJ/SW/d

:

cc: Jim Adams, City of Canton Health Department  
Eric Adams, DSIWM-NED0  
Scott Hester, DSIWM-CO  
Ken Ricker, MS Consultants, Inc.