



State of Ohio Environmental Protection Agency

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JUN 7 2002

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ENTERED DIRECTOR'S JOURNAL

JUN 7 - 2002

Mr. Gary Sefl
Director of Public Service
City of Parma
6611 Ridge Road
Parma, OH 44129

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

By *Zyana L. Clements* Date 6/7/02

**Re: Parma Landfill, Cuyahoga County
OAC Rule 3745-27-13 Authorization**

Dear Mr. Sefl:

By written submittal titled "Ohio Environmental Protection Agency OAC 3745-27-13 Authorization Request for the City of Parma Closed Sanitary Landfill Parma (Cuyahoga County), Ohio" dated February 5, 2002, and revision dated March 29, 2002, the City of Parma requested authorization to install an asphalt walking/biking trail on the Parma Landfill and a wooden pedestrian bridge across West Creek. The request was submitted by Clayton Group Services, on behalf of the city. The Ohio Environmental Protection Agency (Ohio EPA) received the request on February 6, 2002, and subsequent revision on April 2, 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 hazardous waste facility or a solid waste facility was operated.

Based upon a review of the document, I have determined that the proposed installation of a walking/biking trail and pedestrian bridge will not result in a violation of applicable laws or regulations, will not create a nuisance, and is unlikely to adversely affect the public safety, human health, or the environment. The City is hereby authorized to perform the activities outlined in this letter in accordance with submitted plans, specifications, and information.

This approval is subject to the following conditions:

CONDITIONS

1. 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.

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, human health, or the environment.
3. All solid waste encountered during the construction activities shall be containerized, covered, and securely stored until the materials are characterized and disposed of in accordance with Ohio Revised Code (ORC) Chapter 3734 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. Pursuant to OAC 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
 - a. The applicant begins the activities outlined in this authorization; or
 - b. The applicant has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.
6. This approval grants authorization only to install an asphalt walking/biking trail on the Parma Landfill and a wooden pedestrian bridge across West Creek at Parma Landfill in accordance with the submittal titled "*Ohio Environmental Protection Agency OAC 3745-27-13 Authorization Request for the City of Parma Closed Sanitary Landfill Parma (Cuyahoga County), Ohio*" dated February 5, 2002. All activities must be conducted in strict accordance with the plans, specifications, and information submitted as part of the request. There may be no deviation from the approved plans without prior written authorization of the Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.
7. Nothing in this authorization 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 or others from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery 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 30 days after notice of the Director's action. Notice of the filing of the appeal shall be filed with the Director within three 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/CM

cc: Lynn Sowers, DSIWM, NEDO
Scott Hester, DSIWM, CO
Ava Harter, L.L.P. Thompson Hine
Vince Carraffi, Cuyahoga County Board of Health
Rich Carmen, Clayton Group Services