



State of Ohio Environmental Protection Agency

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

Lea Boyas-Morabito
Peter J. Limited
10055 Sweet Valley Drive
Valley View, Ohio 44125

**Re: R&B Development Landfill, Cuyahoga County
Ohio Administrative Code Rule 3745-27-13 Extension Authorization**

Dear Ms. Boyas:

By a written submittal dated March 13, 2003, McCabe Corporation, on behalf of Peter J. Limited, requested an extension to the Ohio Administrative Code (OAC) Rule 3745-27-13 authorization approved on February 2, 2001, for the R&B Development Landfill. The request was submitted pursuant to OAC Rule 3745-27-13(I), which states that the director may extend the date of expiration of any authorization to engage in filling, grading, excavating, drilling, building, or mining on land where a solid waste facility was operated by up to twelve months if the person to whom authorization was granted submits a request for an extension.

Based upon review of the aforementioned request, you are hereby granted a twelve month extension to the February 2, 2001, authorization pursuant to OAC Rule 3745-27-13(I) for the R&B Development Landfill.

This approval is subject is subject to the following conditions:

1. In accordance with OAC Rule 3745-27-13(I), authorization to engage in the activities specified in the February 2, 2001, authorization shall terminate on February 2, 2004.
2. All activities that take place during the allowable extended time period shall comply with all conditions included in the February 2, 2001, authorization, except as modified by this authorization.
3. A final cover not less than 24 inches thick shall be placed over all disturbed areas within the limits of waste placement by February 2, 2004. The final soil cover shall be constructed in accordance with DSIWM Guidance #0111, Measurable Criteria for Questionable Pre-1990 Landfill Caps and DSIWM Guidance #0123, Standards for Current Construction of a 1976 Cap System. The final soil cover shall be stabilized in accordance with BMP standards until dense vegetative cover has been established.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

4. 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 Peter J. Limited or others 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 (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 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions, please contact Karen Naples at Ohio EPA, Northeast District Office at (330) 963-1244.

Sincerely,

Christopher Jones
Director

KJN/cl

cc: Eric Adams, DSIWM - NEDO
Katharina Snyder, DSIWM-NEDO
Vince Caraffi, Cuyahoga County Board of Health
Zach Pierce, McCabe Corporation