



State of Ohio Environmental Protection Agency

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ENTERED DIRECTOR'S JOURNAL

MAR 22 2002

The Honorable Thomas J. Coyne, Jr.
Mayor, City of Brook Park
6161 Engle Road
Brook Park, OH 44142

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.

Zona L. Clements 3-22-02

**Re: Grayton Road Landfill (Aerospace Parkway), Cuyahoga County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mayor Coyne:

By document dated November 21, 2001, and titled *Rule 73 Authorization Application (Revision), CUY- Aerospace Parkway, Grayton Road Landfill, Rev November 2001*, you submitted a request, pursuant to OAC Rule 3745-27-13, for authorization to engage in filling, grading, and excavating activities at the former Grayton Road Landfill. Revisions to this document were received on December 4, 2001. The landfill is located along the south bank of Abram Creek west of Grayton Road in the cities of Brook Park and Cleveland, both in Cuyahoga County. The landfill extends over property owned by both cities.

Specifically, the request proposes construction of a four-lane highway around the southern perimeter of the Cleveland Hopkins International Airport, which includes filling a portion of the ravine area through which Abram Creek flows. Work activities will be conducted adjacent to and through a portion of the closed Grayton Road Landfill. The plan proposes earthwork activities associated with construction of a four-lane highway, and installation of storm sewers and sanitary sewers within the known limits of waste placement. A water line will be routed around the limits of waste placement, and installation of a culvert and ravine filling activities will occur adjacent to the landfill. Approximately 6,540 cubic meters of solid waste may be excavated and incorporated into fill areas within the footprint of the landfill for the overall project, provided that the wastes are placed within the current disposal area. Engineering controls include incorporating a cap design which meets OAC Chapter 3745-27, as effective on July 29, 1976, for work conducted within the limits of waste placement. Solid waste determined to be unsuitable for construction will be characterized and disposed off-site.

The Grayton Road Landfill is a solid waste disposal facility that contains exposed waste at the surface. Portions of the site have been used for disposal of foundry sands and mill pond slurry from the Ford Motor Company Brook Park Foundry from 1975 to 1977.

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

Construction soils containing ethylene glycol from various construction projects at the Cleveland Hopkins International Airport were deposited on top of the landfill in 1995.

Based upon a review of the request and supporting information, I have determined that the proposed 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, you are hereby authorized to perform the activities outlined in this letter in accordance with submitted plans, specifications, and information. This authorization is subject to the following conditions:

- Any 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, surface water run off, and protection of ground water.
2. Any activities undertaken shall not create a nuisance, and shall not adversely affect the public safety or health or the environment.
 3. All solid and/or hazardous wastes removed during construction activities shall be containerized (e.g. roll-offs, drums) and securely stored until these materials are properly characterized and disposed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and regulations promulgated thereunder. Excavated materials determined to be solid wastes may be reused as fill within the historical limits of waste placement of the Grayton Road Landfill as noted in your request.
 4. All liquids, semi-solids, industrial wastes, and other wastes regulated under 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. This authorization allows the city of Brook Park to conduct construction activities in accordance with the document titled *Rule 73 Authorization Application (Revision), CUY - Aerospace Parkway, Grayton Road Landfill, Rev November 2001*, as received by Ohio EPA's Northeast District Office on November 26, 2001, and December 4, 2001.
 6. Within 60 days of the completion of any sampling activities, the city of Brook Park must submit the results to Ohio EPA's Northeast District Office.

The city of Brook Park must obtain prior approval from Ohio EPA to perform any additional activities subject to OAC Rule 3745-27-13 at the site beyond those approved through Condition Number 5, above.

8. Any solid waste reconsolidated shall be performed in accordance with DSIWM Guidance Document Number 0510 titled *Reconsolidation of Solid Waste at Closed Sites*.
9. Authorized activities pertaining to the installation of any water line system shall not commence until plan approval has been obtained from Ohio EPA's Division of Drinking and Ground Waters.
10. Authorized activities pertaining to the installation of any storm water system or sanitary sewer system shall not commence until plan approval has been obtained from Ohio EPA's Division of Surface Water.
11. Authorized activities shall not commence until any applicable authorization has been obtained from Ohio EPA and the U.S. Army Corps of Engineers under Sections 401 and 404 of the Clean Water Act.
12. Not later than 72 hours prior to the commencement of any activities authorized in this letter, Ohio EPA's Northeast District Office, the City of Cleveland Department of Public Health, and the Cuyahoga County Board of Health must be given written notice of the anticipated commencement.
13. This authorization shall not be construed as an approval of the November 26, 2001, submittal package for compliance with Ohio EPA's Voluntary Action Program.
14. Prior to any removal of waste or contaminated soil from the property, the city of Brook Park shall submit a copy of any letters of acceptance from disposal facilities to Ohio EPA in accordance with OAC Rule 3745-27-13(C)(10).
15. All well installation, development, and abandonment shall conform with Ohio EPA's *Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring* (Ohio EPA DDAGW, February 1995).
16. For purposes of erosion control, the city of Brook Park shall use Best Management Practices standards in accordance with the National Resource Conservation Service manual titled *Rainwater and Land Development*.
17. The city of Brook Park shall take measures to minimize the possible increase in subsurface infiltration due to disturbance of the closed landfill.
18. Any portions of the landfill disturbed by activities authorized by this approval shall have a final cover system established in accordance with OAC Chapter 3745-27, as effective on July 29, 1976. Specifically Brook Park shall:

- a. Comply with material specifications, and construction quality assurance and quality control (QNQC) requirements of DSIWM Guidance Number 0123, titled *Standards for Construction of a 1976 Cap System* and dated March 27, 1995.
 - b. Place the soil barrier layer and synthetic capping materials only when temperatures are 40° F or above, unless a specific QNQC plan which includes cold weather procedures has been submitted to, and concurred by, Ohio EPA's Northeast District Office.
 - c. Submit information documenting construction activities, including all laboratory and/or field data, to Ohio EPA's Northeast District Office no later than 30 days following completion of authorized activities. The information shall include all components of the final cover system. The report shall document that material specifications have been met, adequate thickness of the cap has been placed, and that appropriate testing has been performed at the minimum specified frequencies.
19. Prior to commencing construction activities authorized by this letter, the city of Brook Park shall obtain a determination from the city of Cleveland Division of Environment, Department of Public Health and Welfare (Cleveland Air) regarding fugitive dust as well as storage and disposal requirements for materials potentially encountered at the site. Requirements and recommendations of Cleveland Air shall be followed.
20. Pursuant to OAC Rule 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
- a. Brook Park begins the activities outlined in this authorization; or,
 - b. Brook Park has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.
21. 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 of Brook Park 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 to the environment.

Grayton Road Landfill (Aerospace Parkway), Cuyahoga County
OAC Rule 3745-27-13 Authorization
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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 ORC Section 3745.04. The appeal must be made in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the commission within 30 days after notice of the director's action. A copy of the appeal must be served on the director within three days of filing 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

If you have any questions concerning this authorization, please contact John Schmidt of Ohio EPA's Northeast District Office at (330) 963-1175.

Sincerely,



Christopher Jones
Director

cc: Kurt Prinic, DSIWM-NEDO
Scott Hester, DSIWM-CO
Ronald Smith, City of Cleveland Department of Public Health
Vincent Carraffi, Cuyahoga County Board of Health
Gerald Babroski, Adache Ciuni Lynn Associates, Inc.
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