



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

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

OHIO E.P.A.

MAILING ADDRESS:

MAY - 8 2002 P.O. Box 1049
Columbus, OH 43216-1049

ENTERED DIRECTOR'S JOURNAL

MAY - 8 2002

Jack Bateman
Vice President/General Manager
Six Flags Worlds of Adventure
1060 North Aurora Road
Aurora, Ohio 44202

**Re: Geauga Lake Landfill, Geauga County
OAC Rule 3745-27-13 Authorization**

Dear Mr. Bateman:

The Ohio Environmental Protection Agency (Ohio EPA) received an authorization request to construct a sound barrier with a waste core on top of the closed Geauga Lake Landfill, located at Six Flags Worlds of Adventure (Six Flags), in Bainbridge Township, Geauga County, Ohio. The request was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, which requires authorization from the director of Ohio EPA to engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility or solid waste facility was operated.

EDP Consultants, Inc. prepared and submitted the request on behalf of the property owner, Funtime, Inc. and the amusement park operator, Six Flags. The request is dated January 23, 2002, and was received by Ohio EPA on January 23, 2002. Revisions, dated April 9, 2002, were received by Ohio EPA on April 16, 2002.

Geauga Lake Landfill is located approximately one mile northeast of State Route 43, and is bordered on the north by the Conrail Railroad tracks, and on the east by Geauga Lake Road, in Bainbridge Township, Geauga County. Geauga Lake Landfill was a captive solid waste landfill operated by the former Geauga Lake Amusement Park.

Based upon a review of the document submitted to Ohio EPA on January 23, 2002, with revisions dated April 9, 2002, I have determined that the proposed construction 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, human health, or the environment.

I certify this to be a true and accurate copy of the
official record of the proceedings of the Ohio
Environmental Protection Agency

By: _____

Bob Taft, Governor

Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

MAY 8 2002

Therefore, Funtime, Inc. 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.
2. All activities undertaken shall not create a nuisance and shall not adversely affect public safety, human health, or the environment.
3. Excavated waste may be reused as fill within the historical limits of waste placement of the Geauga Lake Landfill as noted in the authorization request.
4. All solid waste to be removed from the facility shall be containerized 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.
5. 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.
6. Prior to any removal of waste or contaminated soil from the property, the owner or operator shall submit a copy of a letter of acceptance from the disposal facility to Ohio EPA, Northeast District Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM), pursuant to OAC Rule 3745-27-13(C)(10).
7. The owner or operator shall submit to Ohio EPA, Division of Surface Water, a Notice of Intent for a General Permit for the Discharge of Construction Site Storm Water if the disturbed acreage for the entire project is five acres or more.
8. For the purpose of erosion control, the owner or operator shall use Best Management Practices in accordance with the National Resources Conservation Service manual entitled Rainwater and Land Development.

9. Any final cover removed during construction activities authorized by this letter shall be reused as final cover only if the cover is free of waste and meets the requirements of OAC Rule 3745-27-10, as effective July 29, 1976.
10. Any portions of the landfill cap removed by activities authorized by this approval shall have a final cover system re-established in accordance with OAC Rule 3745-27-10, as effective July 29, 1976. Design and construction of the cap shall be in accordance with the specifications detailed in DSIWM guidance document number 0123, Standards for Current Construction of a 1976 Cap System. The cap system of the sound barrier shall connect to the existing cap to form a continuous low permeability barrier.
11. Ohio EPA, NEDO, DSIWM and the Geauga County Health Department shall receive written notice not later than 72 hours prior to the commencement of construction activities.
12. This approval grants authorization to conduct activities at the Geauga Lake Landfill in accordance with the request titled OAC: 3745-27-13 Authorization Request, Geauga Lake Landfill, Earth and Vegetated Sound Barrier, Bainbridge Township, Geauga County, Ohio, EDP Project No. 00538E, January 23, 2002, Revised April 9, 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 the express, written approval of Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.
13. The owner or operator shall take measures to minimize the possible increase in subsurface infiltration due to disturbance of the closed landfill.
14. The owner or operator shall comply with the following:
 - A. Trees that die, are windthrown or uprooted, shall be immediately replaced or the disturbed area of the cap must be immediately repaired so that the cap meets the standards of Ohio EPA DSIWM guidance document number 0123, Standards for Current Construction of a 1976 Cap System.
 - B. Comments about tree growth, any problems, and remedial action taken, shall be included on the quarterly landfill inspection summaries required by OAC Rule 3745-27-14(A)(3).
 - C. If the owner or operator deems that the trees are ineffective or unsatisfactory as a sound barrier, the owner or operator will immediately remove the trees and repair the cap to meet the standards of Ohio EPA, DSIWM guidance

document number 0123, Standards for Current Construction of a 1976 Cap System.

- D. If the trees prove to be ineffective or unsatisfactory as a vegetative cover, permission to use this alternative vegetation may be revoked upon written notification from the director of Ohio EPA. Upon revocation, the owner or operator shall immediately remove the trees and shall repair the cap to the standards of Ohio EPA, DSIWM guidance document number 0123, Standards for Current Construction of a 1976 Cap System.
15. This authorization does not imply approval of the explosive gas monitoring plan in Appendix F of the request. The owner or operator ceased explosive gas monitoring in July 1991, pursuant to a previous closure plan, dated April 25, 1988. However, the owner or operator must comply with a recent authorization, dated October 25, 2001, pursuant to OAC Rule 3745-27-13. The October 2001 authorization includes abandonment of specified gas monitoring wells, and the installation of explosive gas alarms within occupied structures located within 200 feet of the limits of waste placement.
16. 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.
17. 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 owner or operator 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.

END OF CONDITIONS

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/DD/cl

cc: Lynn Sowers, DSIWM-NEDO
Virginia Wilson, DSIWM-NEDO
Scott Hester, DSIWM-CO
John Goold, Geauga County Health Dept.
File: [LAND/Geauga Lake/AUT/28]