



State of Ohio Environmental Protection Agency

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MAY 13 2002

I certify this is a true and accurate copy of the original document.

Handwritten signature and date: 5/13/02

Mr. Ken Stuparyk
The Procter & Gamble Company
Winton Hill Technical Center
6250 Center Hill Avenue
Cincinnati, OH 45224-1796

OHIO E.P.A.
MAY 13 2002
ENTERED DIRECTOR'S JOURNAL

**Re: Laidlaw Avenue Landfill, Hamilton County
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Mr. Stuparyk:

By written submittal dated March 14, 2002, Arcadis, on behalf of The Procter & Gamble Company (Applicant), has requested authorization pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13 to engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility or solid waste facility was operated. The site is located at 925 Laidlaw Avenue on the north side of Cincinnati, Ohio. The site owned by the Applicant is located on the south of Laidlaw Ave., east of I-75, and north of the Norwood Lateral in Hamilton County.

The request for authorization is to drill soil borings and install groundwater monitoring wells. The soil borings will be utilized to characterize buried waste and the monitoring wells will be used to sample ground water and complete a geotechnical evaluation necessary to acquire information to support future development activities at the Laidlaw Avenue Property.

Based upon the review of the above-mentioned documents submitted to the Southwest District Office (SWDO), Division of Solid and Infectious Waste Management, I have determined that the proposed activities, subject to the below conditions, will not result in violation of applicable laws and regulations, will not create a nuisance, and are unlikely to adversely affect public safety, human health, or the environment. Therefore, the Applicant is hereby authorized to perform the above activities in accordance with submitted and approved plans, specifications, and information.

This authorization is subject to the following 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

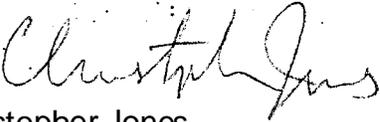
2. All activities undertaken shall not create a nuisance and shall not adversely affect public safety, human health, or the environment.
3. The applicant shall provide Ohio EPA/SWDO and the City of Cincinnati Health Department (Health Department) a letter stating the date construction will begin and the expected date construction will be completed. The letter shall be submitted a week in advance of beginning any building or drilling activities.
4. This authorization is solely for filling, grading, excavating, building, drilling, or mining as specifically outlined in the March 14, 2002, request for authorization.
5. The applicant shall submit a report to the Ohio EPA upon completion of the investigation. The report shall at a minimum contain the following information: the lithology and the depth to the bedrock, the characteristics of the major stratigraphic units and depositional environments, a description of the regional aquifers, including those underlying the property, identification and characterization of ground water recharge and discharge areas, the direction of subsurface flow across the site, and the amount of recharge and discharge. The diagrams should correspond to the site boring information.
6. Waste generated from drilling activities shall be immediately containerized and covered to prevent precipitation from contacting the waste. Leachate runoff from any waste placed on the ground shall be controlled. The containers shall not allow leachate to discharge or leak from the containers. Waste(s) generated from the borings shall be characterized per OAC Rule 3745-51 to determine if they constitute hazardous waste(s). Any hazardous waste management activities shall be conducted in compliance with OAC Rule
7. All sampling and analysis activities associated with waste characterization shall be performed in accordance with "Test Methods for Evaluating Solid Waste"; Third Edition, Second Update;
8. Prior to any removal of waste or contaminated soils from the property, the Applicant shall submit to Ohio EPA, SWDO and the Health Department copies of letters of acceptance from licensed disposal facilities for the waste or contaminated soils.
9. Casings that are tremied in place with a grout mixture shall be allowed to set for 24 hours before advancing the borehole beyond the bottom of waste placement. The grout shall be brought back up to ground level if any settlement occurs.

10. If water exists in a casing within waste placement, the casing shall be purged three times the water volume found in the casing before advancing the boring beyond the bottom of waste placement. All liquid generated as a result of purging the casings shall be considered leachate and shall be containerized. All waste(s) generated from this activity shall be characterized per OAC 3745-51 to determine if they constitute hazardous waste(s). Any hazardous waste management activities shall be conducted in compliance with and OAC 3745-52.
11. The applicant shall abandon all unserviceable wells in compliance with OAC Rule 3745-9-10 for abandonment of test holes and wells.
12. Not later than sixty (60) days after the drilling activities associated with this authorization are complete, the Applicant shall submit to Ohio EPA/SWDO and the Health Department a copy of the results of all waste characterizations and waste receipts from the disposal facility (ies) that accepted that waste.
13. The Applicant shall ensure that during any work that disturbs or has the potential to disturb any asbestos containing material, the applicant shall meet the requirements of OAC Rule 3745-20-07 and 29 CFR 1926 subpart Z 1101 (g).
14. The applicant shall ensure that all asbestos contaminated soil and/or asbestos containing material shall be wetted and handled to prevent emissions to the ambient air.
15. Pursuant to OAC Rule 3745-27-13(H), this authorization shall terminate eighteen (18) months after its effective date if the Applicant has not begun the activities authorized or has not entered into a binding contractual obligation to undertake and complete the activities authorized within twenty-four (24) months of the effective date of this authorization.
16. Nothing in this authorization shall be construed to authorize any waiver from any requirements of any applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the Applicant from responsibility under Chapters 3704, 3734, or 6111 of the Ohio Revised Code (ORC); 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 laws for remedying conditions resulting from any release of contaminants 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 ORC 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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) 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

Sincerely,



Christopher Jones
Director

CJ/BA/sdj

cc: Rick Thornberg, City of Cincinnati Health Dept
Mija Coppola, ARCADIS