



State of Ohio Environmental Protection Agency

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MAY 17 2002 P.O. Box 1049
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MAY 17 2002

ENTERED DIRECTOR'S JOURNAL

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

By: *Maggison* 5-17-02

Dan DiLiberto, Mayor
City of Eastlake
35150 Lakeshore Blvd.
Eastlake, Ohio 44095

**RE: City of Eastlake Landfill, Lake County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mayor DiLiberto:

By letter dated April 15, 2002, CT Consultants, Inc. on behalf of the City of Eastlake (City), submitted a request to the Ohio Environmental Agency (Ohio EPA) for authorization to fill and grade at the Eastlake Landfill (Facility) located in Lake County.

The request was submitted pursuant to 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 solid waste facility was operated.

Specifically, the letter requests authorization to place up to 1000,000 cubic yards of additional cover soil materials on the existing landfill cap. The time period for placement is anticipated to be five (5) years, as the source soil is from current and future utility and other construction projects that generate surplus soil materials.

Based upon a review of the April 15, 2002, request, I have determined that the proposed activities will not result in 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, 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:

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 or health or the environment.

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

3. Any portions of the landfill where the cap was 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.
4. All solid waste to be removed from the facility shall be containerized and securely stored until the materials are properly characterized and disposed in accordance with Chapter **3734** of the Ohio Revised Code (ORC) and the 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 Chapters 6111 and regulations promulgated thereunder.
6. The City of Eastlake shall use Best Management Practices standards in accordance with the National Resource Conservation Service manual titled Rainwater and Land Development for the purpose of erosion control.
7. This approval grants authorization to conduct filling and grading at the City of Eastlake Landfill in accordance with the request dated April 15, 2002. All activities must be conducted in strict accordance with the plans, specifications, and any other requested information submitted. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.
8. The owner/operator shall take measures to minimize the possible increase in subsurface infiltration due to disturbance of the closed landfill.

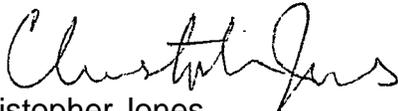
You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three (3) days after the appeal is filed with the Commission.

City of Eastlake Landfill, Lake County
OAC Rule 3745-27-13 Authorization
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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/KP/cl

cc: Kurt Princic, DSIWM-NEDO
Colum McKenna, DSIWM-NEDO
Scott Hester, DSIWM-CO
Laura Kuns, Lake County Health Department
Owen Karickhoff, P.E., CT Consultants, Inc.
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