



State of Ohio Environmental Protection Agency

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JUL 16 2002

Thomas J. Longo, Mayor  
City of Garfield Heights  
5407 Turney Road  
Garfield Heights, OH 44125

OHIO EPA  
JUL 16 2002  
ENTERED DIRECTOR'S JOURNAL

**Re: Vista Park Landfill, Cuyahoga County  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mayor Longo:

By letter dated February 20, 2001, NTH/WTA Joint Venture, on behalf of the City of Garfield Heights (City), submitted a request on March 2, 2001, to the Ohio Environmental Protection Agency (Ohio EPA) to construct an explosive gas control system at the Vista Park Landfill located in Cuyahoga County. Revisions to the document were received by Ohio EPA on July 19, 2001, and July 24, 2001. 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.

Based upon a review of the document and subsequent revisions submitted to Ohio EPA, I have determined that the proposed construction of an explosive gas control system will not result in a violation of applicable laws or regulations, will not create a nuisance, and is 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 the submitted plans, specifications, and information.

This approval is subject to the following conditions:

1. This approval only grants authorization to install an explosive gas control system at the Vista Park Landfill in accordance with the request titled OAC 3745-27-13 Permit Application - Vista Park Landfill, Garfield Heights, Ohio, February 20, 2001, Revised July 16, 2001 and July 19, 2001. 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 authorization of Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.

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.

By: Zona L. Clements Date: 7/16/02

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

2. Ohio EPA, Northeast District Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM) and the Cuyahoga County Health Department shall receive written notice not later than 72 hours prior to commencement of the proposed activities.
3. 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, surface water run-off, and protection of ground water.
4. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
5. 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.
6. Excavated materials determined to be solid wastes may be reused as fill within the historical limits of waste placement of the Vista Park Landfill as noted in the authorization request.
7. 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.
8. 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, DSIWM-NEDO, pursuant to OAC Rule 3745-27-4 3(C)(10).
9. The owner or operator shall take measures to minimize the possible increase in subsurface infiltration due to disturbance of the closed landfill.
10. This authorization request includes detailed engineering plans related to the location and installation of an explosive gas control system. This approval only grants authorization for the owner/operator to disturb the existing soil cover on the Vista Park Landfill for the purpose of installing an explosive gas control system at the Vista Park Landfill. This authorization does not constitute approval of any other engineering plans included as part of this request.

11. Ohio EPA neither approves nor disapproves the site health and safety plans, and this authorization does not indicate or imply approval of any health and safety plans contained in this document. The City and its contractors shall remain solely responsible for compliance with all applicable health and safety laws and regulations.
12. Any portions of the landfill where the soil 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. The owner/operator shall do the following:
  - a. Place the soil barrier layer and synthetic capping materials only when temperatures are 40° F or above, unless in accordance with a specific QA/QC plan which includes cold weather procedures submitted to, and concurred by, Ohio EPA.
  - b. Submit information documenting construction activities, including all laboratory and/or field data, to Ohio EPA, DSIWM-NEDO 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.
13. Within 60 days of completing the installation of the explosive gas control system, the owner/operator shall submit to Ohio EPA, DSIWM-NEDO as-built plans which certify construction of the explosive gas control system, including exact locations of system components.
14. Pursuant to OAC Rule 3745-27-13(H), this authorization shall terminate 18 months after its effective date unless:
  - a. The City begins the activities outlined in this authorization; or
  - b. The City has entered into a binding contractual obligation to undertake and complete the activities outlined in this authorization within 24 months of its effective date.

15. 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 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 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. 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

cc: Murat Tukel, DSIWM-NEDO  
Scott Hester, DSIWM-CO  
Vince Caraffi, Cuyahoga County Health Department  
Robert Tomasek, Garfield Heights City Engineer  
Linda Burke, Project Consultant, NTH/WTA Joint Venture