



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
122 S. Front Street  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184

MAILING ADDRESS:

P.O. Box 1049  
Columbus, OH 43216-1049

I certify this to be a true and accurate copy of the  
official record as filed in the records of the Ohio  
Environmental Protection Agency

AUG 20 2003

*Handwritten signature: Jonathan Anderson 8/20/03*

OHIO E.P.A.  
AUG 20 2003  
ENTERED DIRECTOR'S JOURNAL

Rabbi Michael Zedek  
Jewish Federation of Cincinnati  
4380 Malsbary Road  
Suite 200  
Cincinnati, OH 45242

**Re: Amberley Village Landfill, Hamilton County  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Rabbi Zedek:

On June 27, 2003, the Ohio Environmental Protection Agency (Ohio EPA) received a document titled *Application for Authorization to Engage in Filling, Grading, Excavating, Building, or Drilling on Land Where a Solid Waste Facility was Operated at the Amberley Leaf and Wood Debris Disposal Landfill (Closed), June 2003*. A subsequent revision was received on July 31, 2003. The documents were submitted by Civil & Environmental Consultants, Inc. (CEC) on behalf of the Jewish Federation of Cincinnati (Federation), and pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13. The Amberley Village Landfill is a closed municipal solid waste disposal facility located at 8601 Ridge Road in Amberley Village, Hamilton County. The landfill is owned, and was last operated, by Amberley Village. The landfill closed in 1982.

The documents specifically propose to excavate, evaluate, and monitor test pits in three areas of debris placement. The proposed construction activities will involve final cover disturbance and restoration.

Based upon a review of the documents, 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 the submitted plans, specifications, and information.

As part of this authorization, the Federation is subject to the following conditions:

1. This letter grants authorization to conduct excavation, evaluation, and monitoring of test pits in three areas of debris placement at the Amberley Village Landfill located at 8601 Ridge Road in Amberley Village, Hamilton County in accordance

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

with the request titled *Application for Authorization to Engage in Filling, Grading, Excavating, Building, or Drilling on Land Where a Solid Waste Facility was Operated at the Amberley Leaf and Wood Debris Disposal Landfill (Closed), June 2003, and as revised July 31, 2003, only*. All activities must be conducted in strict accordance with the plans, specifications, and information submitted as part of this request. There may be no deviation from the approved plans without the express, written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.

2. Ohio EPA's Southwest District Office (SWDO), and the Hamilton County General Health District (GHD) 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, human health, or the environment.
5. All solid and/or hazardous wastes removed during sampling activities shall be reconsolidated within the current limits of waste placement or securely stored within the current limits of waste placement until these materials are properly characterized and disposed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and regulations promulgated thereunder.
6. All liquids, semi-solids, industrial wastes, and other wastes regulated under ORC Chapter 6111 removed during sampling 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.
7. Prior to removal of any waste or contaminated soil from the property, the Federation shall submit a copy of a letter of acceptance from the disposal facility to Ohio EPA, SWDO, DSIWM pursuant to OAC Rule 3745-27-13(H)(4).
8. Within 30 days of the completion of any sampling activities, the Federation shall submit any analytical results to Ohio EPA, SWDO.
9. The Federation shall take measures to minimize the possible increase in subsurface infiltration due to disturbance of the waste and other authorized activities.

10. The Federation shall cover all exposed waste disposal areas by the end of the working day.
11. The Federation shall take measures to control fugitive dust and other air emissions due to disturbance of the waste units and other authorized activities.
12. This authorization applies only to the activities related to the geophysical survey, excavation of the debris trenches, and installation of monitoring apparatus as outlined in the *Application for Authorization to Engage in Filling, Grading, Excavating, Building, or Drilling on Land Where a Solid Waste Facility was Operated at the Amberley Leaf and Wood Debris Disposal Landfill (Closed), June 2003*, and as revised July 31, 2003.
13. Any portions of the landfill where the final cover system has been disturbed by activities authorized by this approval shall have a final cover system re-established in accordance with DSIWM Guidance Document 0123, titled *Standards for Construction of a 1976 Cap System*. The Federation shall do the following:
  - a. Pre-qualify the soils utilized for the final cover system at least seven days prior to use.
  - b. Place 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, SWDO.
  - c. Submit information documenting construction activities, including all laboratory and/or field data, to Ohio EPA, SWDO, no later than 30 days following completion of authorized activities. The information 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.
14. Pursuant to OAC Rule 3745-27-13(M)(1), this authorization shall terminate three years after the effective date of this authorization.
15. 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 Federation 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.

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 issuance 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  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions concerning this authorization, please contact Tracy Buchanan of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



Christopher Jones  
Director

cc: Scott Hester, DSIWM, CO  
Holly Hillyer, DSIWM, SWDO  
Dave Nutini, Hamilton County General Health District  
Andrew Kolesar, Thompson Hine  
Barry Franz, CEC  
Bernard E. Boraten, Amberley Village