



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

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Columbus, Ohio 43215

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

Mr. James M. Prentiss  
4337 Minor Rd.  
Copley, Ohio 44321

**RE: Parcel Number 040-20D-13-032, Lot 8632, Wadsworth City, Ohio  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Prentiss:

On December 27, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO), received a request, submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13 by Grizzly Mini-Storage, LLC, to conduct filling and grading activities at the above referenced lot. The lot is located at 660 Silvercreek Road in Wadsworth, Medina County and was subjected to open dumping of foundry waste in the late 1990's. Although surface deposits of foundry waste were removed from this site in 1999, it is suspected that some subsurface foundry waste may remain on the western portion of this property, as identified in the request.

OAC Rule 3745-27-13 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, Grizzly Mini-Storage, LLC is requesting authorization to place and grade additional clean fill and soil on the surface of the above referenced lot.

Based upon a review of the information contained in the December 27, 2004, authorization request, I have determined, pursuant to OAC Rule 3745-27-13, 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, Grizzly Mini-Storage, LLC is hereby authorized to perform the filling and grading activities outlined in this letter in accordance with submitted and approved plans, specifications, and information.

As part of this authorization, Grizzly Mini-Storage, LLC is subject to the following conditions:

**CONDITIONS**

1. This approval grants authorization only to engage in activities identified in accordance with the request received December 27, 2004. All activities shall be conducted in strict

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Joseph P. Koncelik, Director

accordance with the plans, specifications, and other information submitted as part of this request. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities on the site identified in the December 27, 2004, authorization request may require additional Ohio EPA approval.

2. 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 runoff, and protection of ground water.
3. All activities undertaken shall not create a nuisance and shall not adversely affect the public safety or health or the environment.
4. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 that are 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.
5. All solid and hazardous waste to be removed from the site identified in the request shall be containerized and securely stored until the materials are properly characterized and disposed in accordance with Ohio Revised Code (ORC) Chapter 3734 and the regulations promulgated thereunder.
6. Not later than sixty (60) days after the effective date of this authorization, Grizzly Mini-Storage, LLC shall submit to Ohio EPA a copy of the deed notation as identified in Section 13(E)(11) of the December 27, 2004, request and as required pursuant to OAC Rule 3745-27-13(E)(11).
7. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release you from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the director of Ohio EPA 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.

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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 regarding this authorization, please contact Jarnal Singh of Ohio EPA, NEDO at (330) 963-1276.

Sincerely,

Joseph P. Koncelik  
Director

JPK/JS/sw

cc: Donald Stewart, Medina County Health Department  
Eric Adams, DSIWM NEDO  
Ms. Tamara L. Prentiss