



State of Ohio Environmental Protection Agency

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Steven M. Viny
Norton Construction Company
6200 Rockside Woods Boulevard
Independence, Ohio 44131

**Re: Royalton Road Sanitary Landfill, Cuyahoga County
ORC Section 3734.02(G) Exemption – Decline to Grant**

Dear Mr. Viny:

On March 11, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM) received your exemption requests pursuant to Ohio Revised Code (ORC) Section 3734.02(G). The requests are titled "R.C. 3734.02(G) Exemption Request #1 – Overheight on Addition No. 3 to Remain in Place, The Norton Construction Company, Royalton Road Sanitary Landfill, Broadview Heights, Ohio" and "R.C. 3734.02(G) Exemption Request #2 – Closure in Excess of 180 Days, The Norton Construction Company, Royalton Road Sanitary Landfill, Broadview Heights, Ohio."

Pursuant to ORC Section 3734.02(G), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid waste that consists of scrap tires, in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment, from any requirement to obtain a registration certificate, permit, or license or comply with other requirements of ORC Chapter 3734.

Because I cannot determine that granting the requested exemptions is unlikely to adversely affect the public health or safety or the environment, I decline to grant the requested exemptions.

Steven Viny, Norton Construction Company
Exemption Decline
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If you have any questions concerning this letter, please contact Judy Bowman of Ohio EPA, NEDO at (330) 963-1238.

Sincerely,

Laura H. Powell
Acting Director

LHP/JB/JS/sw

cc: Nicolas Bryan, Attorney General's Office
Barry Chapman, DSIWM-CO
Scott Hester, DSIWM-CO
Lynn Sowers, DSIWM-NEDO