



State of Ohio Environmental Protection Agency

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JAN 17 2002

OHIO EPA.
JAN 17 2002
ENTERED DIRECTOR'S JOURNAL

Mr. Charles J. Vasulka
Director of Engineering and Construction
Northeast Ohio Regional Sewer District
3826 Euclid Avenue
Cleveland, Ohio 441152504

**Re: Harvard Refuse, Inc. Landfill, City of Cleveland, Cuyahoga County
Alteration to an OAC Rule 3745-27-13 Authorization**

Dear Mr. Vasulka:

On May 4, 2001, Ohio EPA issued an authorization, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, to the Northeast Ohio Regional Sewer District (NEORSD) for the closed Harvard Refuse, Inc. Landfill located in the City of Cleveland, Cuyahoga County. The authorized work plan, titled *Rule 13 Authorization Request, East 77th Street Outfall, Cleveland, Ohio*, proposes to construct the East 77th Street sewer outfall through the closed landfill.

By documents dated December 5, 2001, and December 10, 2001, Ohio EPA received a request to alter the authorized work plan using trench boxes instead of steel sheeting during construction of the sewer outfall. Based on communications with the project engineer, the steel sheeting cannot be driven into the closed landfill due to the presence of construction and demolition debris which includes concrete and cables.

The December IO, 2001, correspondence states in part, " . . . that the open portions of the trench box will still be fully supported, and will be immediately backfilled with control density fill as soon as the trench box is moved to the next downstream section."

Based upon review of the request, Ohio EPA has determined that the activities proposed in the alteration request 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, NEORSD 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:

I certify this to be a true and accurate copy of the
of _____, _____, _____ of the Ohio
Environmental Protection Agency.

Date: 1-17-02

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

1. Any 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.
2. Any activities undertaken shall not create a nuisance, and shall not adversely affect the public safety or health or the environment.
3. All liquids, semi-solids, industrial wastes, and other wastes regulated under Ohio Revised Code (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 the regulations promulgated thereunder.
4. This approval only grants authorization to alter the work plan titled *Rule 13 Authorization, East 77th Street Outfall, C/leve/and, Ohio*, dated October 24, 2000, and approved on May 4, 2001.
5. NEORSD shall take measures to minimize the possible increase in subsurface infiltration due to disturbance of the closed landfill.
6. 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 NEORSD from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; 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 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three 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

Harvard Refuse, Inc. Landfill, City of Cleveland, Cuyahoga County
Alteration to an OAC 3745-27-13 Authorization
Page 3 of 3

If you have any questions concerning this approval, please contact Dave Dysle of Ohio EPA's Northeast District Office at (330) 963-1200.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Jones". The signature is written in a cursive style with a large initial "C".

Christopher Jones
Director

cc: Lynn Sowers, Ohio EPA, DSIVVM, NEDO
Scott Hester, Ohio EPA, DSIVVM, Central Office
Ronald Smith, City of Cleveland Department of Public Health
Vincent Carraffi, Cuyahoga County Board of Health
File: [LAND/Harvard Refuse/AUTH8]