



State of Ohio Environmental Protection Agency

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Mr. Timothy Hill, Administrator
Office of Environmental Services
Ohio Department of Transportation, Central Office
P.O. Box 899
Columbus, Ohio 43216-0899

**Re: Proposed Alum Creek Multi-Purpose Trail Extension, Franklin County
Ohio Administrative Code Rule 3745-27-13 Authorization**

Dear Mr. Hill:

On June 10, 2003, the Ohio Department of Transportation (ODOT) submitted a request to conduct two soil borings near a former unnamed construction and demolition debris landfill located within the Creeks Metro Park, Franklin County. This request for authorization to engage in filling, grading, excavation, building, mining, and drilling activities was submitted in accordance with the provisions of Ohio Administrative Code (OAC) Rule 3745-27-13.

A proposed multi-purpose trail is planned for this project and includes the design of a bridge over Alum Creek and minor drainage structures. The requested authorization to conduct the two soil borings is for determining the design of the foundation for the bridge abutment.

Based upon the review of the submitted request, Ohio EPA has determined that the proposed activities, if conducted in accordance with the conditions listed below, will not result in violation of applicable laws and 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 above activities in accordance with the submitted request and the following conditions.

1. The Director of Environmental Protection (director) or a representative authorized by the director, may enter the premises of the proposed activities at any time to inspect, conduct tests, or examine records and reports pertaining to the authorized activities.
2. Any activities undertaken shall not create a nuisance and shall not adversely affect the public safety or health or the environment. This authorization may be revoked if it is determined at any time that any applicable laws have been or are likely to be violated or continued implementation of the approved plans may cause a threat to human health or safety or the environment.

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

3. All solid waste removed and soil cuttings generated during the proposed activities shall be containerized (e.g. roll-offs, drums) and securely stored until these materials are properly characterized and disposed in accordance with Ohio Revised Code (ORC) Chapter 3734 and regulations promulgated thereunder.
4. All liquids, semi-solids, industrial wastes, and other wastes regulated under 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.
5. Ohio EPA, Central District Office (CDO), Division of Solid and Infectious Waste Management (DSIWM) and the Columbus Health Department shall be notified not later than 72 hours prior to commencement of the proposed activities.

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 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
309 S. Fourth St.
Room 222
Columbus, OH 43215

If you have any questions concerning with authorization, please contact Laura Parkinson of Ohio EPA CDO at (614) 728-3889.

Sincerely,

Christopher Jones
Director

cc: Dale Harmon, Columbus Health Department w/attachments
Scott Hester, DSIWM/CO w/attachments
Duane Snyder, DSIWM/CDO w/attachments