



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Jim Hutchson  
City of Elyria  
328 Broad Street  
Elyria, Ohio 44035

**Re: Garden Street Landfill, Lorain County  
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Hutchson:

On October 16, 2003, the Ohio Environmental Protection Agency (Ohio EPA) received a request from the City of Elyria (City) to conduct composting operations at the closed Garden Street Landfill located in Elyria, Lorain County, Ohio. Revisions to the request were received by Ohio EPA on November 7, 2003, and November 18, 2003. The request, prepared by the Madden Brothers (Operator) and Rolling and Hocevar, Inc (Environmental Consultants) was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13.

Specifically, the City proposes to operate a Class IV Composting Facility within the limits of waste placement of the closed Garden Street Landfill. The material to be composted will be placed in windrow composting formation. Engineering controls include surrounding the windrow/compost area with an earthen berm containment structure to contain leachate. The containment structure is also designed to contain surface water run-off from a 25-year/24-hour storm event. Any leachate produced by the composting operation will be either recirculated into the windrows by pumping or removed by a pump truck and transferred to a waste water treatment plant.

Based upon review of the information supplied in the request and the subsequent revisions, I have determined that the proposed activities, if performed in accordance with the following conditions, will not create a nuisance and are unlikely to adversely affect the public safety or health or the environment. Therefore, pursuant to OAC Rule 3745-27-13, I hereby authorize you to perform the activities in accordance with the plans, specifications, and information submitted as part of the request and the subsequent revisions. As part of this authorization, you are hereby subject to the following conditions:

1. 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 run-off, and protection of ground water.

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



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2. All activities undertaken shall not create a nuisance and shall not adversely affect public safety, human health, or the environment.
3. Any solid waste that is encountered during the activities on the site shall be transported to a licensed solid waste facility for disposal.
4. Drainage must be controlled to prevent any ponding or leachate run-off from the site; surface water drainage must be diverted away from material placement areas.
5. Any leachate produced on site shall be contained for reintroduction into the composting process or transported and discharged to an approved treatment facility.
6. Ohio EPA's Northeast District Office and the Elyria City Health Department shall receive written notice not later than 72 hours prior to the commencement of construction activities at this site.
7. This approval only authorizes the construction activities at the Garden Street Landfill in accordance with the October 16, 2003, November 7, 2003, and November 18, 2003, submittals. All activities must be conducted in strict accordance with the plans, specifications, and information submitted as part of the request. There may be no deviation from the approved plans without the express, written approval of Ohio EPA. Any future activities on the facility may require additional Ohio EPA approval.
8. Any portions of the landfill where the final cover system has been disturbed or damaged by construction or operation activities shall have a final cover system re-established in accordance with the capping requirements established in OAC Rule 3745-27-10 as effective on July 29, 1976.
9. In accordance with OAC Rule 3745-27-13(M), this authorization to engage in the construction activities specified above shall terminate three years after the effective date of this approval if the City has not begun the activities authorized herein.
10. Nothing in the 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 City 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 ground upon which the appeal is based. It must be filed with the commission within 30 days after notice 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  
236 East Town Street  
Room 300  
Columbus, Ohio 43215

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

Sincerely,

Christopher Jones, Director  
Ohio Environmental Protection Agency

cc: Murat Tukul, DSIWM, NEDO  
David Oakes, Elyria City Health Department  
Brian Madden, Madden Brothers