



State of Ohio Environmental Protection Agency

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

Robert J. Tomasek, City Engineer  
City of Garfield Heights  
5407 Turney Road  
Garfield Heights, Ohio 44125

**Re: Vista Park Landfill, Cuyahoga County  
OAC Rule 3745-27-13 Authorization, Deadline Extension**

Dear Mr. Tomasek:

On July 16, 2002, the Ohio Environmental Protection Agency (Ohio EPA) issued an authorization to the City of Garfield Heights (Garfield Heights), pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13, for its closed Vista Park Landfill (Facility) located in Cuyahoga County. This authorization allowed Garfield Heights to construct an explosive gas control system at the Facility. Pursuant to Condition Number 14 of this authorization, Garfield Heights had twenty-four (24) months to complete this project, or the authorization would terminate.

By letter dated June 4, 2004, and received by Ohio EPA June 7, 2004, Garfield Heights formally requested an extension to the July 16, 2002, authorization for construction of an explosive gas control system at the Facility. Garfield Heights identified funding problems and late delivery of equipment as reasons why the project was delayed. Garfield Heights has requested an extension until December 5, 2004, to complete this project.

Based upon a review of the information provided in the June 4, 2004, request, an extension to the deadline for completing the proposed construction of an explosive gas control system will not result in a violation of applicable laws or regulations, will not create a nuisance, and is unlikely to adversely affect the public safety or human health or the environment. Therefore, I hereby grant Garfield Heights an extension until December 5, 2004, to complete the activities outlined in the July 16, 2002, authorization, pursuant to OAC Rule 3745-27-13. Garfield Heights shall continue to comply with all other requirements of the July 16, 2002, authorization and associated plans, specifications, and information.

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 Garfield Heights from responsibility under Ohio Revised Code (ORC) Chapters

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

Robert Tomasek  
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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 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 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. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days after filing with the Commission. 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 concerning this authorization, please contact Jerry Weber of Ohio EPA's Northeast District Office at (330) 963-1274.

Sincerely,

Christopher Jones  
Director

CJ/sw

cc: Murat Tukul, DSIWM-NEDO  
Scott Hester, DSIWM-CO  
Matt Johnson, Cuyahoga County Health Department  
Thomas J. Longo, Mayor, City of Garfield Heights  
Ibraheem Alshunnar, NTH Consultants, Ltd.