



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.

NOV 25 2016

ENTERED DIRECTOR'S JOURNAL

NOVEMBER 25, 2016

Mr. James Prentiss
Grizzly Mini-Storage, LLC
4137 Stimson Rd.
Norton, Ohio 44203

**Re: Grizzly Mini-Storage
Director's Authorization
Approval
Municipal Solid Waste Landfill
Medina County
MSWL021728**

**Subject: Grizzly Mini-Storage, Medina County
Ohio Administrative Code (OAC) Rule 3745-27-13 Authorization**

Dear Mr. Prentiss:

On August 10, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a document titled "OAC 3745-27-13 Authorization Request for Placement and Grading of Clean Fill Material" (Request). The Request was prepared by James M. Prentiss and submitted by Grizzly Mini-Storage, LLC (Owner). Ohio EPA, DMWM, NEDO received revisions to the Request on September 19, 2016, and October 11, 2016. The Request was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-13.

OAC Rule 3745-27-13 requires authorization from the Director of Ohio EPA (Director) before engaging in filling, grading, excavating, building, drilling or mining on land where a solid waste facility was operated. The Owner is requesting to conduct minor grading and construction within the limits of possible waste placement. Proposed activities include clearing an area of vegetation, leveling and compacting it, and adding clean fill, then constructing a monolithic concrete slab, a pre-fab steel storage building, and an asphalt drive area around the slab. The Facility, located at 660 Silvercreek Road, Wadsworth, Ohio, was used for unauthorized disposal of foundry waste. A prior authorization was issued pursuant to OAC Rule 3745-27-13 for this property in 2002 for construction of storage buildings that currently exist on the property.

Based upon a review of the Request, I have determined, pursuant to OAC Rule 3745-27-13, that the proposed activities, if conducted in accordance with the Request and the following conditions, will not result in a violation of applicable laws or regulations, will not create a nuisance, and are unlikely to adversely affect public safety or health or the environment. Therefore, the Owner is hereby authorized to perform the activities outlined in this letter in accordance with the submitted and approved plans, specifications, and information submitted as part of this Request.

As part of this authorization, the Owner is subject to the following conditions:

CONDITIONS

1. This approval grants the Owner authorization to perform activities at the Facility in accordance with the revised Request, received October 11, 2016. All activities shall be conducted in strict compliance with the plans, specifications, and other information submitted as part of the Request. There may be no deviation from the approved plans without prior written authorization from Ohio EPA. Any future activities at the Facility may require additional Ohio EPA approval.
2. Not later than seventy-two (72) hours prior to the start of activities associated with this authorization, the Owner shall submit written notification, which specifies the anticipated date of work commencement, to: Ohio EPA, DMWM, NEDO and Colin Johnson, Director of Environmental Health, Medina County Health Department.
3. The Owner shall allow access to the Facility to the Director or a representative authorized by the Director at any time to make inspections, conduct tests, or examine records and reports pertaining to the authorized activities.
4. 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, and surface water run-on and run-off and protection of ground water.
5. All on-site activities shall be performed in a manner that prevents migration of leachate or toxic gas from the Facility.
6. All activities undertaken shall not create a nuisance and shall not adversely affect public safety or health or the environment.
7. Any solid and/or hazardous waste to be removed from the Facility shall be containerized and securely stored until these materials are properly characterized and disposed of in accordance with Ohio Revised Code (ORC) Chapter 3734 and the regulations promulgated thereunder.
8. All liquids, semi-solids, industrial wastes, and other wastes regulated by ORC Chapter 6111 that are removed during intrusive activities shall be containerized and securely stored until these materials are properly characterized and disposed of in accordance with ORC Chapter 6111 and the regulations promulgated thereunder.
9. Prior to any disposal of waste or contaminated soil from the Facility, the Owner shall submit copies of sample analysis results, the treatment or disposal method selected, and a letter of acceptance from the treatment or disposal facility to Ohio EPA, DMWM, NEDO in accordance with OAC Rule 3745-27-13(H)(4).

10. Not later than sixty (60) days after completing the activities authorized through this approval, the Owner shall submit to Ohio EPA, DMWM, NEDO a certification report in accordance with OAC Rule 3745-27-13(H)(10).
11. The Owner shall take measures to control fugitive dust and other air emissions that may result from activities authorized through this approval.
12. The Owner shall take measures to minimize the potential for increased infiltration of surface water that may result from activities authorized through this approval.
13. For the purposes of erosion control during the activities at the Facility, the Owner shall use best management practices and standards as specified in the National Resources Conservation manual titled *Rainwater and Land Development* prepared by the Ohio Department of Natural Resources, Division of Soil & Water Conservation.
14. No boring or excavation shall occur unless the excavated waste is replaced within previously existing horizontal and vertical limits of waste placement or is treated or disposed of at a licensed, permitted treatment or disposal facility, in accordance with ORC Chapter 3734 and the rules promulgated thereunder.
15. If boring or excavation occurs outside the limits of waste placement at the Facility, the Owner shall not use material consisting of solid waste or hazardous waste to backfill the bored or excavated areas.
16. In accordance with OAC Rule 3745-27-13(M), this authorization shall terminate three (3) years after its effective date if the Owner has not begun the activities authorized through this approval.
17. In accordance with OAC Rule 3745-27-13(O), the Director may revoke this authorization if the Owner violates, or is likely to violate, any applicable law or if continued implementation of the approved plans may cause a threat to human health or safety of the environment.
18. Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable federal or state laws or regulations except as specified herein. This authorization shall not be interpreted to release the Owner 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 to the environment.

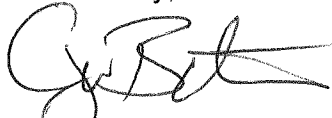
END OF CONDITIONS

You are hereby notified that this action of the Director 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 thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions regarding this authorization, please contact Karen Naples of Ohio EPA, DMWM, NEDO at (330) 963-1244 or at karen.naples@epa.ohio.gov.

Sincerely,



Craig W. Butler
Director

CWB:KN:cla

ec: Scott Hester, Ohio EPA, Central Office, DMWM
Colin Johnson, Medina County Health Department, cjohnson@medinahealth.org