



State of Ohio Environmental Protection Agency

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ENTERED DIRECTOR'S JOURNAL

OCT 15 2002

Stephen A. Dubetz, P.E., P.S.
Manager, Engineering Services Division
City of Akron Department of Public Service
Bureau of Public Works
1436 Triplett Boulevard
Akron, OH 44306

Certify this to be a true and accurate copy of the
original document as filed in the records of the Ohio
Environmental Protection Agency.

Jenna L. Clemens 10/15/02
Deals

**RE: Hardy Road Sanitary Landfill, Summit County
Final Closure/Post-Closure Plan Approval**

Dear Mr. Dubetz:

On December 28, 2001, the Ohio Environmental Protection Agency (Ohio **EPA**) received a document titled *Final Closure/Post-Closure Plan, Hardy Road Sanitary Landfill, December 2001*, for the Hardy Road Sanitary Landfill. Included in the Final Closure/Post-Closure Plan for Hardy Road Sanitary Landfill is the ground water monitoring plan. The landfill is located at 1585 Hardy Road, Akron, Summit County. The plan was prepared by Civil and Environmental Consultants, Inc. (CEC) on behalf of Akron Regional Landfill, Inc. (ARLI) and the City of Akron. The Facility is currently owned by Akron and was last operated by ARLI, a subsidiary of Waste Management, Inc. The plan was submitted pursuant to Director's Final Findings and Orders (DFFO's) effective on June 30, 2001, a Consent Order issued August 9, 2001, by the Summit County Court of Common Pleas, and Ohio Administrative Code (OAC) Rule 3745-27-11. In accordance with the June 30, 2001, DFFO's and the August 9, 2001, Consent Order, Akron was required to submit a revised closure/post-closure plan and ground water monitoring plan by December 31, 2001, and cease acceptance of waste by June 30, 2002. The facility submitted a revised closure/post-closure plan on December 28, 2001, in accordance with those Orders. Subsequent revisions to the document dated June 28, 2002, and August 20, 2002, were received on July 3, 2002, and August 21, 2002, respectively. The facility ceased acceptance of waste on June 28, 2002.

The December 2001 closure/post-closure plan and ground water monitoring plan, as revised in June 2002 and August 2002, for the Hardy Road Sanitary Landfill are hereby approved subject to the following conditions:

1. The schedule for implementation and completion of this closure shall be as specified in the August 9, 2001, Consent Order as a minimum of 20 acres per year, commencing in 2001. In accordance with the Final Closure/Post-Closure Plan, section 11(B)(1), Final closure activities, page 4, a minimum of 20 acres of final

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

- cover shall be installed per calendar year, commencing in 2001. The entire final cover system shall be installed by December 31, 2004.
2. The owner/operator shall implement construction of the perimeter leachate collection system, unless otherwise authorized in writing by Ohio EPA. The system shall be completed no later than December 31, 2002.
 3. Within 14 days of the effective date of this approval, the owner/operator shall execute and fund closure and post-closure care financial assurance instruments, reflecting revised estimates specified in the approved closure/post-closure plan.
 4. The owner/operator shall, at a minimum, annually adjust the closure and post-closure care instruments for inflation, and shall make any appropriate revisions to these estimates and to the financial assurance instrument to ensure that the amount funded is at least equal to the newly adjusted closure and post-closure care cost estimates.
 5. Within 60 days of the effective date of this approval, the owner/operator shall implement a ground water monitoring plan for the facility, in accordance with OAC Rule 3745-27-10, unless otherwise authorized in writing by Ohio EPA. Implementation is defined as the collection of ground water samples from the ground water monitoring system.
 6. Any well that remains in assessment as of the date of these Orders shall remain a part of the ground water monitoring system until such wells are returned to detection monitoring in accordance with OAC Rule 3745-27-10, unless otherwise authorized in writing by Ohio EPA.

Issuance of this approval does not constitute expressed or implied agreement that the Final Closure/Post-Closure Plan and or its terms and conditions will constitute compliance with applicable federal, state or local laws, rules and regulations, nor does issuance of this approval assure that necessary operating permits or licenses will be granted.

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 made 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 of filing with the Commission.

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Final Closure/Post-Closure Plan
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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 John Schmidt of Ohio EPA, Northeast District Office at (330) 963-1175.

Sincerely,



Christopher Jones
Director

CJ/JMS/cl

cc: Lynn Sowers,
Scott Hester, DSIWM-CO
Scott Herman, Akron Regional Landfill, Inc.
Ed Dieringer, Akron Health Department