



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Scott Herman  
Waste Management of Ohio, Inc.  
Akron Regional Landfill, Inc.  
P.O. Box 13680  
Akron, OH 44334

**Re: Cuyahoga Landfill, Cuyahoga County  
Explosive Gas Monitoring Plan Approval**

Dear Mr. Herman:

On March 18, 2002, the Ohio Environmental Protection Agency (Ohio EPA) received a March 11, 2002, document titled *Explosive Gas Monitoring Plan for the Cuyahoga Landfill* (Plan). The Plan was prepared and submitted by North Point Engineering Corp., on behalf of Cuyahoga Landfill, Inc., pursuant to Ohio Administrative Code (OAC) Rule 3745-27-12, as effective June 1, 1994, which requires the owner or operator of a closed landfill to submit an explosive gas monitoring plan to the director for approval. The landfill is a closed municipal solid waste disposal facility. The landfill is owned and was most recently operated by Cuyahoga Landfill, Inc, a subsidiary of Waste Management of Ohio, Inc.

Ohio EPA has reviewed the Plan and found it to be in compliance with OAC Rule 3745-27-12, as effective June 1, 1994. Therefore, Ohio EPA approves the Plan for the closed Cuyahoga Landfill with the following conditions:

1. The March 11, 2002, Explosive Gas Monitoring Plan for the Cuyahoga Landfill supersedes the Landfill Gas Management Plan that was previously approved by Ohio EPA on August 5, 1992.
2. Issuance of this explosive gas monitoring plan approval does not constitute expressed or implied agreement that the monitoring of the facility performed and implemented in accordance with the approved explosive gas monitoring plan and/or its terms and conditions will constitute compliance with applicable federal and state laws, rules, and regulations, nor does issuance of this plan approval assure that necessary operating permits or licenses will be granted.
3. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state solid waste laws or regulations. Furthermore, this authorization shall not be

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

interpreted to release the facility or others from responsibility under Ohio Revised Code (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 (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. The appeal must be filed with the Commission within 30 days after notice of the director's action. A copy of the appeal shall 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 document, please contact Colum McKenna, Ohio EPA, Northeast District Office at (330) 963-1268.

Sincerely,

Christopher Jones, Director

cc: Lynn Sowers, NEDO, DSIWM  
Dane Tussel, Cuyahoga County Board of Health