



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

Mr. Ernie Walker
Township Trustee
c/o Eaton Township
12043 Avon Belden Road
Grafton, Ohio 44044

**Re: Eaton Township Landfill, Lorain County
Explosive Gas Monitoring Plan Approval**

Dear Mr. Walker:

On July 22, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled Explosive Gas Monitoring Plan, Pre-1982 Disposal Areas, Explosive Gas Monitoring System Design, Eaton Township Landfill, Lorain County, Ohio, May 1989, Revised July 2004, dated July 17, 2004, for the Eaton Township Landfill (Facility) located in Lorain County. A revision to the plan dated October 22, 2004, was received on October 28, 2004. The plan was prepared and submitted by Mr. Richard Knechtges, Solid Waste Coordinator for Eaton Township, on behalf on Eaton Township.

The July 22, 2004, Explosive Gas Monitoring Plan (EGMP) and subsequent revision were prepared in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, effective August 15, 2003.

Ohio EPA has reviewed the submitted EGMP, including the October 22, 2004, revision, and we have determined that it meets applicable requirements. Therefore, I hereby approve the EGMP for the closed Eaton Township Landfill. As part of this approval, Eaton Township is subject to the following conditions:

CONDITIONS

1. Eaton Township shall implement the EGMP at the Facility in accordance with the document titled Explosive Gas Monitoring Plan, Pre-1982 Disposal Areas, Explosive Gas Monitoring System Design, Eaton Township Landfill, Lorain County, Ohio, May 1989, Revised September 2004, Submitted October 2004 only. All activities shall be conducted in strict accordance with the plans, specifications, and information submitted as part of this

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Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

plan. There may be no deviation from the approved plans without the express, written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.

2. Eaton Township shall submit initial written notice to Ohio EPA, NEDO and the Lorain County Health Department not later than seventy-two (72) hours prior to commencement of the proposed activities specified in the plan.
3. Not later than sixty (60) days after the effective date of this approval, Eaton Township shall implement the EGMP. Implementation shall include monitoring of explosive gas, as well as installation of building alarms, pursuant to OAC Rule 3745-27-12(E). For any structure within two hundred (200) feet of the limits of waste placement in which the consent of the property owner has been obtained to install a structure alarm, Eaton Township shall install a structure alarm as specified in the EGMP not later than thirty (30) days after the date of notification of consent.
4. Issuance of this approval does not constitute expressed or implied agreement that the monitoring of the Facility performed and implemented in accordance with the approved EGMP 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 ensure that necessary operating permits or licenses will be granted.
5. 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 interpreted to release Eaton Township 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 to the environment.

You are hereby notified that this action of the Director of Ohio EPA (Director) 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 thirty (30) days after notice of the Director's action. A copy of the appeal shall 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

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If you have any questions concerning this approval, please contact Clarissa Gereby of Ohio EPA, NEDO at (330) 963-1224.

Sincerely,

Joseph P. Koncelik
Director

JPK/CG/MM/sw

cc: Murat Tukul, DSIWM-NEDO
Scott Hester, DSIWM-CO
John Sabo, Lorain County Board of Health