



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center  
122 S. Front Street  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

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

January 18, 2006

Mr. Paul Martinelli  
Ros Vegas Holdings, Ltd.  
153 Leland Ave.  
Columbus, Ohio 43214

**Re: Slater's Landfill, Tuscarawas County  
Explosive Gas Monitoring Plan Approval**

Dear Mr. Martinelli:

On November 19, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southeast District Office (SEDO) received a document titled Explosive Gas Monitoring Plan for the Closed Slater's Landfill Site (EGMP) for the Slater's Landfill (Facility) located in Tuscarawas County. The plan was prepared and submitted by Mr. Paul Martinelli, Ros Vegas Holdings, Ltd. (Landowner). Revisions to the plan were received on July 11, 2005 and December 19, 2005.

The EGMP was prepared in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, effective August 15, 2003.

Ohio EPA has reviewed the submitted EGMP, including revisions dated July 11, 2005, and December 19, 2005, and has determined that it meets applicable requirements. Therefore, I hereby approve the EGMP for the closed Slater's Landfill. As part of this approval, the landowner is subject to the following conditions:

**CONDITIONS**

1. The landowner shall implement the EGMP at the Facility in accordance with the document titled Explosive Gas Monitoring Plan for the Closed Slater's Landfill Site only. All activities shall be conducted in strict accordance with the plans, specifications, and information submitted as part of this plan. There may be no deviation from the approved plan without the express, written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.
2. Not later than sixty (60) days after the effective date of this approval, the landowner shall implement the EGMP. Implementation shall include installation and monitoring of temporary monitors, permanent monitors, and building alarms, as applicable, pursuant to OAC Rule 3745-27-12(E).

Bob Taft, Governor  
Bruce Johnson, Lieutenant Governor  
Joseph P. Koncelik, Director

3. 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 state and federal laws, rules, and regulations, nor does issuance of this plan approval ensure that necessary operating permits or licenses will be granted.
4. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. Furthermore, this authorization shall not be interpreted to release the landowner 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 shall 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

If you have any questions concerning this approval, please contact Mark Mansfield of Ohio EPA, SEDO at (740) 380-5428.

Sincerely,

Joseph P. Koncelik  
Director

JPK/MM/MG/sw

cc: Tuscarawas County Health Department  
Dale Warner, DSIWM-SEDO