

Issuance Date: June 4, 7001

Effective Date: _____

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Former Asman's Dump

Director's Final Findings
And Orders

Village of Millbury
28430 North Main Street
Millbury, OH 43447-0155

Pursuant to Chapter 3734 of the Ohio Revised Code (ORC), and Rule 3745-27-12 of the Ohio Administrative Code (OAC), the Director of Environmental Protection (Director) hereby makes the following Findings and issues the following Orders.

FINDINGS

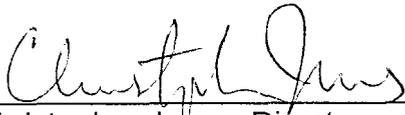
1. The Village of Millbury (Owner) is the owner of the former Asman Dump (Facility) which is located on the northwest corner of State Route 23 and State Route 795 in Lake Township, Wood County.
2. Waste acceptance at the Facility ceased in 1973. The Facility is approximately twenty-nine (29) acres in size.
3. The Facility was supervised on a full-time basis and both putrescible and non-putrescible materials were accepted.
4. An Explosive Gas Monitoring Plan was approved for the Facility by the Ohio Environmental Protection Agency (Ohio EPA) on June 25, 1992. A total of twenty (20) permanent probes were proposed to be installed.
5. On September 17, 1992, the initial round of explosive gas monitoring was conducted by the Wood County Health Department (WCHD). Seventeen (17) permanent explosive gas monitoring probes which had been installed to date were tested.
6. On October 16, 1992, the remaining three (3) permanent explosive gas monitoring probes were installed at the Facility.

7. On October 17, 1992, the initial round of explosive gas monitoring for the three (3) new permanent explosive gas monitoring probes was conducted by WCHD.
8. On May 18, 2000, the fourteenth (14th) round of explosive gas monitoring was conducted by WCHD with no detection of explosive gas migration.
9. On May 31, 2000, WCHD, on behalf of the Owner, requested that explosive gas monitoring at the Facility be abandoned.
10. On June 19, 2000, the Owner requested that explosive gas monitoring at the Facility be abandoned.
11. On August 21, 2000, Mr. Brad Espen of WCHD indicated that although methane gas migration had not been detected, the Facility was still producing methane gas, as evidenced by bubbling at the ground surface.
12. On March 8, 2001, WCHD, on behalf of the Owner, again requested that explosive gas monitoring at the Facility be abandoned.
13. On March 21, 2001, Ohio EPA, Northwest District Office conducted a field survey of the Facility. A total of eight (8) punchbars were driven directly into waste. Explosive gas was detected at levels in excess of 16 % gas by volume.
14. OAC Rule 3745-27-1 2(L) states: "Upon completion of the period after closure for a sanitary landfill facility subject to paragraph (A)(3) of this rule, or upon completion of the thirty year period for a sanitary landfill facility subject to paragraphs (A)(1) or (A)(2) of this rule, the person identified in paragraph (A) of this rule may apply to the director for authorization to abandon the permanent monitors in accordance with the approved explosive gas monitoring plan. Authorization shall be granted upon the director's finding that there is no significant likelihood of future explosive gas formation and migration sufficient to require action under the contingency plan."
15. Based on the field survey performed at the Facility on March 21, 2001, there is a significant likelihood of future gas formation and migration sufficient to require action under the contingency plan pursuant OAC Rule 3745-27-12(K).

ORDERS

1. Pursuant to OAC Rule 3745-27-12(L), your request to cease explosive gas monitoring at the Facility is hereby denied.
2. The Owner shall continue semi-annual explosive gas monitoring at the Facility until authorized to cease explosive gas monitoring by the director.

IT IS SO ORDERED:



Christopher Jones, Director