



**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

OHIO E.P.A.

SEP 27 2012

ENTERED DIRECTOR'S JOURNAL

September 27, 2012

Mr. William Rains
Safety Service Director
102 Perry Street
P.O. Box 269
Wapakoneta, Ohio 45895

I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

Date: 9.27.2012

**Re: City of Wapakoneta Landfill, Auglaize County
Explosive Gas Monitoring Plan Approval**

Dear Mr. Rains:

On March 29, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled *Explosive Gas Monitoring Plan*, for the closed City of Wapakoneta Landfill (Facility) located in Auglaize County (March 2012 EGMP). The March 2012 EGMP was prepared and submitted by Hull & Associates, Inc. in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, as effective August 15, 2003.

Ohio EPA has reviewed the submitted March 2012 EGMP, and we have determined that it meets applicable requirements. Therefore, I hereby approve the March 2012 EGMP for the Facility.

As part of this approval, the owner is subject to the following conditions:

CONDITIONS

1. All activities shall be conducted in strict accordance with the plans, specifications, and information submitted as part of the March 2012 EGMP. There may be no deviation from the approved plans without express, written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.
2. Not later than 60 days after the effective date of this approval, the owner shall implement the March 2012 EGMP.
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 March 2012 EGMP and/or its terms and conditions will constitute compliance with applicable state and federal laws, rules, and regulations, nor

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does issuance of this plan approval ensure that necessary operating permits or licenses will be granted.

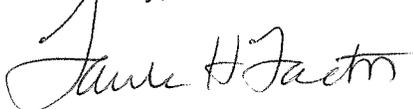
4. Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state solid waste laws or regulations. Furthermore, this authorization shall not be interpreted to release the owner or others from responsibility under Ohio Revised Code (ORC) Chapters 3704, 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 Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this approval, please contact Mike Reiser of Ohio EPA, NWDO at (419) 373-3126.

Sincerely,



Scott J. Nally
Director

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cc: James Lavrich, Hull & Associates
Bill Petruzzi, Hull & Associates
Mike Reiser, DMWM-NWDO