



State of Ohio Environmental Protection Agency

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NOV 25 2002

*Handwritten signature and date: 11/23/02*

OHIO E.P.A.  
NOV 25 2002  
CHIEF DIRECTOR'S JOURNAL

Timothy Haaf, Closed Site Manager  
Waste Management of Ohio, Inc.  
c/o Waste Management, Inc. - Lake View Landfill  
851 Robinson Road East  
Erie, PA 16509-5339

**Re: Akron Landfill (Hazel Street Landfill), Summit County  
Explosive Gas Monitoring Plan Approval**

Dear Mr. Haaf:

On June 14, 2002, the Ohio Environmental Protection Agency (Ohio EPA) received a document titled *Updated Explosive Gas Monitoring Plan, System Design and Sampling & Reporting Procedures, Closed Akron Landfill, Akron, Summit County Ohio, June 2002*. Numerous revisions to the document have been received in August and October. The document was prepared by Earth Tech, Inc., on behalf of Waste Management of Ohio Inc. (WMO). The Akron Landfill, also known as the Hazel Street Landfill, is a closed municipal solid waste disposal facility located at 1130 Eastwood Avenue in the City of Akron, Summit County. The majority of the landfill is owned by WMO, however, a portion of the landfill extends onto property owned by the Wheeling and Lake Erie Railway Company.

The explosive gas monitoring plan was prepared in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, as effective on June 1, 1994, as required through OAC Rule 3745-27-12(N) and a director's action dated March 18, 2002.

The June 2002 explosive gas monitoring plan, including revisions through October 2002, for the closed Akron Landfill is hereby approved. This approval is subject to the following conditions:

1. Within 30 days from the effective date of this approval, WMO shall implement revisions to the explosive gas monitoring system. Implementation shall include installation and monitoring of temporary and permanent monitors pursuant to OAC Rule 3745-27-12(E).
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.

Bob Taft, Governor  
Maureen O'Connor, Lieutenant Governor  
Christopher Jones, Director

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 interpreted to release WMO or others from responsibility under 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 made in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Commission within 30 days after notice of the director's action. A copy of the appeal must 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 authorization, please contact John Schmidt of Ohio EPA's Northeast District Office at (330) 963-1200.

Sincerely,



Christopher Jones  
Director

cc: Clarence Jaeger, Wheeling and Lake Erie Railway Company  
Lynn Sowers, Ohio EPA, DSIWM, NEDO  
Scott Hester, Ohio EPA, DSIWM, CO  
Ed Dieringer, Akron Health Department