



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

Weidle Corporation
Scott Weidle
P.O. Box 247
Germantown, Ohio 45327

**Re: Eckhart Landfill, Montgomery County
Explosive Gas Monitoring Plan Approval**

Dear Mr. Weidle:

On February 19, 2002, the Ohio Environmental Protection Agency (Ohio EPA), Southwest District Office (SWDO) received an explosive gas monitoring plan (EGMP) titled "*Explosive Gas Monitoring Plan Report, Eckhart Landfill, Eckhart Road, German Township, Montgomery County, Ohio*" for the closed Eckhart Landfill (Facility) located in Montgomery County. Subsequent revisions were submitted to Ohio EPA, SWDO on February 10, 2003, and May 13, 2003. The EGMP was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-27-12, as effective June 1, 1994.

The EGMP is comprised of the following documents:

- Explosive Gas Monitoring System Design; dated February 2002
- Explosive Gas Monitoring, Sampling, and Reporting Procedures; dated February 2002

The revised EGMP is hereby approved by Ohio EPA with the following conditions.

1. The Director of Environmental Protection, or a representative authorized by the director, may enter the premises of the above named applicant at any time during construction or operation to inspect, conduct tests, or examine records and reports pertaining to the construction, modification, or installation of the explosive gas monitoring system, or for any other lawful purpose.
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

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

permits or licenses will be granted.

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 the Weidle Corporation 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 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 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed 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 authorization, please contact Jill Olberding of Ohio EPA SWDO at (937) 285-6094.

Sincerely,

Christopher Jones
Director

cc: Jeff Mullins, Montgomery County Combined Health District

CJ/TB/ca