



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

Hardin County Board of Commissioners
One Court House Square, Suite 100
Kenton, Ohio 43326

**Re: Closed Hardin County Landfill, Hardin County
Explosive Gas Monitoring Plan Approval**

Dear Board of Commissioners:

On September 16, 2003, The Mannik and Smith Group, on behalf of the Hardin County Board of Commissioners, submitted a document titled Hardin County Landfill, Explosive Gas Monitoring Plan (EGMP) for the Hardin County Landfill (facility) to the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO). Revisions to the EGMP were submitted on May 23, 2005. This EGMP replaces the facility's currently effective explosive gas monitoring plan, which was approved on August 21, 1996.

This 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 May 23, 2005, and has determined that it meets applicable requirements. Therefore, I hereby approve the EGMP for the closed Hardin County Landfill. As part of this approval, the owner/operator is subject to the following conditions:

CONDITIONS

1. The owner/operator shall implement the EGMP at the facility in accordance with the document titled Hardin County Landfill, Explosive Gas Monitoring Plan 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 plans without 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 owner/operator shall implement the EGMP.

Bob Taft, Governor
Jennette Bradley, 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 approval 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 Ohio EPA (Director) 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 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 Mike Reiser of Ohio EPA, NWDO at (419) 373-3126.

Sincerely,

Joseph P. Koncelik
Director

JPK/sw

cc: Hardin County Health Department
Tom Corvett, The Mannik and Smith Group
Mike Reiser, DSIWM-NWDO