



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

Mr. Dan Titus
Allied Waste Industries, Inc.
43502 Oberlin-Elyria Road
Oberlin, Ohio 44704

**RE: Lorain County II Landfill, Lorain County
Explosive Gas Monitoring Plan Approval**

Dear Mr. Titus:

On March 15, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received the document titled Explosive Gas Monitoring Plan (Plan) for the Lorain County II Landfill (Facility) located in Lorain County. Revisions to the Plan, dated August 25, 2005, were received on September 1, 2005. The Plan was prepared by Environmental Resources Management, Inc. (ERM), on behalf of Browning-Ferris Industries of Ohio (BFIO), in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, effective August 15, 2003.

Ohio EPA has reviewed the submitted Plan, including revisions dated August 25, 2005, and has determined that it meets applicable requirements. Therefore, I hereby approve the Plan for the Lorain County II Landfill. As part of this approval, the owner or operator is subject to the following conditions:

CONDITIONS

1. BFIO shall implement the Plan at the Facility in accordance with the document titled Explosive Gas Monitoring Plan, dated March 15, 2005, with revisions dated August 25, 2005. 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 the express, written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.
2. Ohio EPA, NEDO and the Lorain County Health Department shall receive initial written notification of the anticipated start date of the proposed Plan activities not later than seventy-two (72) hours prior to commencement of the proposed activities.
3. 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

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

Mr. Dan Titus
Allied Waste Industries, Inc.
Page 2 of 2

conditions will constitute compliance with applicable federal and state 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 BFIO 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 ORC 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 Mr. Jerry Parker of Ohio EPA, NEDO at (330) 963-1186.

Sincerely,

Joseph P. Koncelik
Director

JPK/sw

cc: Murat Tukul, DSIWM-NEDO
Scott Hester, DSIWM-CO
John Sabo, Lorain County Health Department
Tom Brunelle, ERM