



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

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

The Honorable Susan Lesch
Mayor of the City of Norwalk
38 Whittlesey Avenue
Norwalk, Ohio 44857

**Re: Closed Norwalk City Landfill, Huron County
Explosive Gas Monitoring Plan Approval**

Dear Mayor Lesch:

On March 27, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled *Revised Explosive Gas Migration Monitoring Plan, Norwalk City Landfill* (March 2006 EGMP) for the closed Norwalk City Landfill (Facility) located in Huron County. The March 2006 EGMP was prepared and submitted by Arcadis G&M of Ohio, Inc. in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, effective August 15, 2003.

Ohio EPA has reviewed the submitted March 2006 EGMP, and we have determined that it meets applicable requirements. Therefore, I hereby approve the March 2006 EGMP for the closed Norwalk City Landfill. The owner shall implement the March 2006 EGMP in accordance with 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 2006 EGMP. 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. Not later than 60 days after the effective date of this approval, the owner shall implement the March 2006 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 2006 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. 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.

END OF CONDITIONS

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 must be filed with the Commission within 30 days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 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 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 E. Jay Murphy of Ohio EPA, NWDO at 419-373-3069.

Sincerely,

Laura H. Powell
Acting Director

JPK/JM/JS/sw

cc: Jack Jump, Huron County Health Department
Dale Sheppard, City of Norwalk
Robert L. McNutt, Arcadis
E. Jay Murphy, DSIWM-NWDO
Mary Ann Miller, DSIWM-NWDO