



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

OHIO E.P.A.

APR - 1 2014

ENTERED DIRECTOR'S JOURNAL

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: John R. Kasich Date: 4-1-14

CERTIFIED

April 1, 2014

Mr Greg Foxhoven  
Director of Public Service and Safety  
101 East Spring Street  
St. Marys, Ohio 45885

Re: Saint Marys Landfill  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Auglaize County  
MSWL019360

**Subject: Saint Marys Landfill, Auglaize County  
Explosive Gas Monitoring Plan Approval**

Dear Mr. Foxhoven:

On January 16, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DWWM), Northwest District Office (NWDO) received a document titled "*Revised Explosive Gas Monitoring Plan*", (December 2013 EGMP) for the closed St. Marys Landfill (Facility) located in Auglaize County. The December 2013 EGMP was prepared and submitted by Hull & Associates, Inc. in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, effective August 15, 2003. The city of St. Marys (City) is the owner of the Facility.

Ohio EPA has reviewed the submitted December 2013 EGMP, and we have determined that it meets applicable requirements. Therefore, I hereby approve the December 2013 EGMP for the Facility.

As part of this approval, the owner is subject to the following conditions:

**CONDITIONS**

1. All activities shall be conducted in strict accordance with the plans, specifications, and information submitted as part of the December 2013 EGMP. 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 thirty (30) days after the effective date of this approval, the City shall implement the December 2013 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 December 2013 EGMP and/or its terms and conditions, will constitute compliance of this plan approval or 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 state solid waste laws or regulations. This authorization shall not be interpreted to release the City 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 Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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 thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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 (3) 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 Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High St., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

Greg Foxhoven, Director of Public Service and Safety  
St. Marys Landfill, Auglaize County  
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If you have any questions concerning this approval, please contact Kristin Tillison of Ohio EPA, NWDO at (419) 373-3064.

Sincerely,

  
Craig W. Butler  
Director

cc: Jim Lavrich, Hull & Associates  
Jeremy Scoles, DMWM-NWDO