



State of Ohio Environmental Protection Agency

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Mr. Scott Herman
Waste Management of Ohio, Inc.
Akron Regional Landfill, Inc.
P.O. Box 13680
Akron, OH 44334

**Re: Cuyahoga Landfill, Cuyahoga County
Ohio Administrative Code Rule 3745-27-12(K)(4)
Return to Monthly Explosive Gas Monitoring**

Dear Mr. Herman:

The Ohio Environmental Protection Agency (Ohio EPA) has completed a review of the Waste Management of Ohio, Inc. (WMOI) letter, dated October 7, 2002, requesting approval to return to monthly explosive gas monitoring pursuant to Ohio Administrative Code (OAC) Rule 3745-27-12(K). The letter pertains to the closed Cuyahoga Landfill (formerly the Cuyahoga Regional Sanitary Landfill), located at 28625 Ambina Drive, in the City of Solon and the Village of Glenwillow, Cuyahoga County, Ohio. The purpose of the letter was to demonstrate that WMOI, through the implementation of the explosive gas remediation plan, dated March 4, 2002, and subsequent monitoring on a weekly and monthly basis, resolved the apparent migration of gas detected in monitoring probes PM4R and PM3.

OAC Rule 3745-27-12(K)(1) requires the owner or operator of a facility which has detected explosive gas above the threshold limit to implement the contingency plan in the approved explosive gas monitoring plan.

On February 27, 2002, WMOI detected elevated gas readings at PM4R. WMOI notified Ohio EPA, on March 13, 2002, that the facility had exceeded the combustible gas threshold limit during the February event. WMOI consequently began implementing the contingency plan in accordance with OAC Rule 3745-27-12(K).

OAC Rule 3745-27-12(K)(4) requires the owner or operator of a facility to continue to implement the contingency plan until receipt of written notification from the director stating that further contingency monitoring is unwarranted.

Based upon review of the explosive gas remediation plan, dated March 4, 2002, and nine months of monthly explosive gas monitoring reports, I have determined that WMOI resolved the apparent

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Christopher Jones, Director

migration of gas detected in monitoring probes PM4R and PM3, and may return to monthly monitoring in accordance with the current approved explosive gas monitoring plan at Cuyahoga Landfill.

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 WMOI 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 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 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. A copy of the appeal shall be served on the director within three days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Colum McKenna of Ohio EPA, Northeast District Office, at (330) 963-1268.

Sincerely,

Christopher Jones, Director

cc: Lynn Sowers, DSIWM, NEDO
Dane Tussel, Cuyahoga County Board of Health
Darrin Hartman, Waste Management
Newell Wickman, Cuyahoga Landfill, Inc.