



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

Mr. Thomas Lescher
Service Director
City of Avon Lake
150 Avon Belden Road
Avon Lake, Ohio 44012-1699

**Re: Avon Lake Municipal Landfill, Lorain County
Explosive Gas Monitoring Plan Approval**

Dear Mr. Lescher:

On June 1, 1999, the Ohio Environmental Protection Agency (Ohio EPA) received a document titled "*Explosive Gas Monitoring Plan for the Avon Lake Municipal Landfill*". Revisions were received on August 12, 2002, and June 2, 2003. The document was prepared by CT Consultants on behalf of the City of Avon Lake. The Avon Lake Municipal Landfill is located at 750 Avon Belden Road, Avon Lake, Ohio, Lorain County. The facility has been closed since 1990. The explosive gas monitoring plan was prepared in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, as effective June 1, 1994.

The explosive gas monitoring plan for the Avon Lake Municipal Landfill, including revisions through June 2003, is hereby approved subject to the following conditions:

1. The explosive gas monitoring plan shall be implemented at the Avon Lake Municipal Landfill, in accordance with the plan titled "*Explosive Gas Monitoring Plan for the Avon Lake Municipal Landfill*" and revised on June 2, 2003. 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 plan without the written approval of Ohio EPA.
2. 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 conditions will constitute compliance with applicable federal and state laws, rules, and regulations, nor does issuance of this plan approval assure that necessary operating permits or licenses will be granted.
3. 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

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

be interpreted to release you 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. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed 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 authorization, please contact Virginia Wilson of Ohio EPA Northeast District Office at (330) 963-1180.

Sincerely,

Christopher Jones
Director

cc: Murat Tukel, DSIWM-NEDO
Clarissa Gereby, DSIWM-NEDO
Scott Hester, DSIWM-CO
Bill Van Curan, Lorain County Health Department

CJ/VW/cl