



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

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MAILING ADDRESS:

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

The Honorable Phyllis Mayberry
Mayor, Village of Clinton
7871 Main Street
Clinton, Ohio 44216

**Re: CLINTON LANDFILL, SUMMIT COUNTY
EXPLOSIVE GAS PLAN APPROVAL**

Dear Mayor:

On January 22, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO), received a document titled "*Clinton Closed Landfill Explosive Gas Monitoring Plan, January 2008*," with subsequent revisions submitted on March 12, 2008 and March 20, 2008 (EGMP) for the closed Clinton Landfill (Facility) located in Summit County. The EGMP was prepared by Malcolm Pirnie, Inc., on behalf of the Village of Clinton, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-12, as effective August 15, 2003.

Ohio EPA has reviewed the EGMP and determined that the document meets the applicable requirements. Therefore, I hereby approve the EGMP for the closed Clinton Landfill. The Village of Clinton shall implement the EGMP pursuant 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 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 Village of Clinton shall implement the 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 EGMP and/or its terms and conditions will constitute compliance

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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. Ohio EPA, Northeast District Office (NEDO), Division of Solid and Infectious Waste Management (DSIWM), and the Summit County General Health District shall receive written notice not later than 72 hours prior to commencement of the proposed activities.
5. 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 Village of Clinton 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.

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 authorization, please contact Dave Dysle of Ohio EPA, NEDO at (330) 963-1286.

Sincerely,

The Honorable Phyllis Mayberry
Clinton Landfill
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Chris Korleski
Director

cc: Lynn Sowers, DSIWM-NEDO
Scott Hester, DSIWM-CO
Darrick Willis, Summit County General Health District
Phillip Gearing, Malcolm Pirnie, Inc.
File: [LAND/Clinton/AUT/77]