



State of Ohio Environmental Protection Agency

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January 30, 2009

Mr. Paul Flory, Esq.  
Environmental Compliance Manager  
Solid Waste Authority of Central Ohio  
4239 London-Groveport Road  
Grove City, OH 43123

**Re: Closed Model Landfill/Phoenix Golf Links, Franklin County  
Explosive Gas Monitoring Plan Approval**

Dear Mr. Flory:

On May 1, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Central District Office (CDO) received a document titled "Explosive Gas Monitoring Plan, Closed Model Landfill/Phoenix Golf Links" (EGMP) for the closed Model Landfill/Phoenix Golf Links (Facility). Revisions to the EGMP were received on November 26, 2008. The EGMP was prepared by NTH Consultants, Ltd., on your behalf, in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12 and replaces the existing explosive gas monitoring plan that was originally approved by Ohio EPA on March 5, 1991.

Ohio EPA has reviewed the EGMP as revised and determined that it meets the applicable requirements set forth in OAC Rule 3745-27-12, effective August 15, 2003. Therefore, I hereby approve the EGMP for the Facility. The Solid Waste Authority of Central Ohio (SWACO) shall implement the EGMP in accordance with the following 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 30 days after the effective date of this approval, SWACO 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 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.

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

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 SWACO 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.

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 Phil Farnlacher of Ohio EPA, CDO at (614) 728-3890.

Sincerely,

Chris Korleski  
Director

CK/JS/sw

cc: Jeff Gibbs, Franklin County Health Department  
Duane Snyder, DSIWM-CDO  
Scott Hester, DSIWM-CO