



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

OCTOBER 17, 2019

Mayor Robert Fiala  
City of Willoughby  
One Public Square  
Willoughby, OH 44094

**Re: Willoughby Glenn Avenue Landfill  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Lake County  
MSWL021205**

**Subject: Willoughby Glenn Avenue Landfill, Lake County  
Explosive Gas Monitoring Plan Approval**

Dear Mayor Fiala:

Ohio EPA OCT 17 '19  
Entered Directors Journal

On February 15, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a revised document titled, "Explosive Gas Monitoring Plan Pursuant to OAC 3745-27-12." The plan was submitted for the closed Willoughby Glenn Avenue Landfill (Facility) located in the City of Willoughby (Owner) in Lake County. The Explosive Gas Monitoring Plan (EGMP) was most recently revised on July 15, 2019. The plan was prepared and submitted by HZW Environmental Consultants on behalf of the Owner.

Ohio EPA has reviewed the revised July 15, 2019 EGMP and has determined that it meets applicable requirements set forth in Ohio Administrative Code (OAC) 3745-27-12. Therefore, I hereby approve the July 15, 2019 EGMP for the Facility in accordance with the following conditions:

### CONDITIONS

1. If, in accordance with Ohio Revised Code (ORC) 3734.041(C), the Director of Ohio EPA determines that the potential exists for the formation and subsurface migration of explosive gases which threaten human health or safety or the environment, the Director may require that the Owner prepare and submit a new or revised EGMP.
2. All activities shall be conducted in strict compliance with the plans, specifications, and information submitted as part of the July 15, 2019 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.
3. Not later than thirty (30) days after the effective date of this approval, the Owner shall implement the July 15, 2019 EGMP.

4. 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 July 15, 2019 EGMP and/or its terms and conditions will constitute compliance with applicable state and federal laws, rules and regulations, nor does issuance of this plan approval ensure operating permits or licenses will be granted.
5. 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 the owner or others from responsibility under 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 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 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  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, OH 43215

If you have any questions concerning this approval, please contact Jerry Parker of Ohio EPA, DMWM, NEDO at [jerry.parker@epa.ohio.gov](mailto:jerry.parker@epa.ohio.gov) or by phone at (330) 963-1186.

Sincerely,



Laurie A. Stevenson  
Director, Ohio EPA

ec: Lynn Sowers, DMWM, NEDO  
Jeremy Carroll, DMWM, CO  
Dan Lark, Lake County Health Department