



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.

FEB -2 2015

ENTERED DIRECTOR'S JOURNAL

FEB 02 2015

Mayor William Burkhardt
Village of St. Bernard
110 Washington Avenue
St. Bernard, Ohio 45217

Re: St. Bernard Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Hamilton County
MSWL019848

**Subject: St. Bernard Landfill, Hamilton County
Explosive Gas Monitoring Plan Approval**

Dear Mayor Burkhardt:

On December 8, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled *Explosive Gas Monitoring Plan, St. Bernard Landfill*, for the closed St. Bernard Landfill (Facility) located in the village of St. Bernard in Hamilton County. The document was dated December 5, 2014 and was prepared and submitted by SCS Engineers on behalf of the village of St. Bernard (Village) in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, as effective August 15, 2003.

Ohio EPA originally approved an Explosive Gas Monitoring Plan (EGMP) for the Facility on April 21, 1993 and a subsequent revision on December 6, 2011. The Village has requested that the most recent submittal completely replace the original EGMP and subsequent revision.

Ohio EPA has reviewed the new EGMP, dated December 5, 2014, and has determined that it meets applicable requirements. Therefore, I hereby approve the December 5, 2014 EGMP for the Facility with the following conditions:

CONDITIONS

1. This EGMP fully replaces and supersedes the EGMP previously approved for St. Bernard Landfill on April 21, 1993 and revised December 6, 2011.
2. All activities shall be conducted in strict compliance with the plans, specifications, and information submitted as part of the December 5, 2014 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 Village shall implement the December 5, 2014 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 December 5, 2014 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 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 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
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this approval, please contact Tracy Buchanan of Ohio EPA, SWDO at (937) 285-6045.

Sincerely,



Craig W. Butler
Director