



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

FEBRUARY 27, 2018

Mr. T.J. Reagan
Managing Partner
Harbor Inn Partnership, LLC
9549 Johnnycake Ridge Road
Mentor, OH 44060

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

**Subject: Brim Brewery, Lake County
Explosive Gas Monitoring Plan Approval**

Ohio EPA FEB 27 '18
Entered Directors Journal

Dear Mr. Reagan:

On June 7, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "Explosive Gas Monitoring Plan Pursuant to OAC 3745-27-12". The plan was submitted for a 1.5-acre parcel owned by Harbor Inn Partnership, LLC (HIP Property), which partially overlies a portion of the closed Willoughby Glenn Avenue Landfill (Facility), located in the City of Willoughby in Lake County. The Explosive Gas Monitoring Plan (EGMP) was most recently revised on November 30, 2017. The plan was prepared and submitted by HZW Environmental Consultants on behalf of Harbor Inn Partnership, LLC, (HIP), in accordance with Ohio Administrative Code (OAC) Rule 3745-27-12, as effective August 15, 2003, and Condition 2 of the OAC 3745-27-13 authorization issued on February 5, 2016.

Ohio EPA has reviewed the November 30, 2017 EGMP and has determined that it meets applicable requirements. Therefore, I hereby approve the November 30, 2017 EGMP for the HIP Property with the following conditions:

CONDITIONS

1. All activities shall be conducted in strict compliance with the plans, specifications, and information submitted as part of the November 30, 2017 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.
2. Not later than thirty (30) days after the effective date of this approval, HIP shall implement the November 30, 2017 EGMP.
3. HIP shall maintain and/or replace the building interior methane monitors specified in Section 5.2.2 of the EGMP as necessary to ensure continued operation of the building interior methane monitoring system.
4. Issuance of this approval does not constitute expressed or implied agreement that the monitoring of the HIP Property performed and implemented in accordance with the approved

November 30, 2017 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 if 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, 4th Floor
Columbus, Ohio 43215

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

Sincerely,



Craig W. Butler
Director

ec: Dan Lark, Lake County Health Department
Scott Hester, Ohio EPA, Central Office, DMWM