

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

OHIO E.P.A.

DEC - 2 2010

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ENTERED DIRECTOR'S JOURNAL
I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

Scott Herman
Mahoning Landfill, Inc.
3510 Garfield Road
New Springfield, Ohio 44443

Chris Korleski Date: 12-2-10

**RE: MAHONING LANDFILL, MAHONING COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(C)(7)(g) APPROVAL**

Dear Mr. Herman:

On July 30, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled "Detection Monitoring Statistical Analysis Program Revision 7 (Statistical Analysis Program) for Groundwater Quality Monitoring" dated July 29, 2010, for the Mahoning Landfill (Facility) located in Mahoning County. The document contains a request that the Director of Ohio EPA approve the inclusion of statistically significant results for chloride in monitoring well LF/MKC-5 into the data set.

According to the document, statistical analysis of monitoring data acquired at monitoring well LF/MKC-5 has previously indicated the presence of statistically significant differences for chloride. After further scrutiny of the data, the owner or operator was able to demonstrate in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) that the April 2008, June 2008, July 2009, and September 2009 statistically significant differences were false positives due to variation in sampling methodology.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to the current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

The July 29, 2010 document concluded that the verified statistically significant chloride results from monitoring well LF/MKC-5 are false positives and therefore these chloride results should be incorporated into the background data set of monitoring well LF/MKC-5.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 29, 2010 document. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner or operator is hereby authorized to incorporate into the background data set for monitoring well LF/MKC-5 the statistically significant chloride results from monitoring well LF/MKC-5.

Scott Herman
Mahoning Landfill, Inc.
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You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 "Ohio Treasurer Kevin Boyce," 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 (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
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions concerning this letter, please contact Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,



William Skowronski
District Chief, Northeast District Office
for Chris Korleski
Director, Ohio EPA

WS/CK/KS/cl

cc: Lynn Sowers, DSIWM-NEDO
Scott Hester, DSIWM-CO
Mary Helen Smith, Mahoning County District Board of Health
DSIWM #3423