



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

JUN 13 2011

ENTERED DIRECTOR'S JOURNAL

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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.

Tim Haaf
Waste Management, Inc.
Statewide RDF
851 Robinson Road East
Erie, PA 16509

By: John Lassiter Date: 6-13-11

**RE: STATEWIDE RECYCLING AND DISPOSAL FACILITY (RDF), STARK COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii) APPROVAL**

Dear Mr. Haaf:

On January 21, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled *Statistical Analysis of Ground-Water Monitoring Results, 2010 Second Semiannual Sampling Event, Statewide Recycling and Disposal Facility*, dated January 13, 2011, for the Statewide RDF (Facility) located in Stark County. This document was submitted by Eagon and Associates, Inc., on behalf of the Facility and contains the ground water sampling results and the statistical analysis from the November 8 and December 21, 2010 second semi-annual ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following verified statistically significant increases (SSIs) were detected: chloride at monitoring wells MWU-1 and MWU-8.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The January 21, 2011 submittal concluded that the SSIs for chloride at monitoring wells MWU-1 and MWU-8 were due to natural variation in ground water quality and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the January 21, 2011 submittal. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MWU-1 and MWU-8.

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Should future or existing ground water sampling results indicate SSIs in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the 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 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, Ohio 43215

If you have any questions concerning this letter, please contact Joshua Adams of Ohio EPA, DMWM-NEDO at (330) 963-1103.

Sincerely,



Kurt M. Princic
Chief, Northeast District Office
for Scott J. Nally
Director, Ohio EPA

KMP/SJN/JA/cl

cc: **Scott Hester, DMWM-CO**
Joshua Adams, DMWM-NEDO
Kay Amey, DDAGW-NEDO
Kirk Norris, Stark County Health Department