



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

OHIO E.P.A.

AUG 22 2013

ENTERED DIRECTOR'S JOURNAL

CERTIFIED

August 22, 2013

Mohammed Ali
American Landfill
7916 Chapel Street, S.E.
Waynesburg, OH 44688-9700

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.

By:  Date: 8.22.2013

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

Dear Mr. Ali:

The Ohio Environmental Protection Agency (Ohio EPA) Division of Materials and Waste Management (DMWM) Northeast District Office (NEDO) received a document from American Landfill (Facility) titled *Statistical Analysis Program for Ground Water Quality Monitoring Revision 7*. It is dated May 2013 and was received at NEDO on May 20, 2013.

The revised document was submitted to Ohio EPA as an OAC Rule 3745-27-10(C)(7)(g) request to update background data at the Facility's ground water monitoring wells. Historically, the statistical analysis of ground water monitoring data acquired at ground water monitoring wells: PHL/BC-1, PHL/BC-4, PHL/BC-5, PHL/BC-10, PHL/BC-11, PHL/BC-12, PHL/BC-14, PHL/BC-15, PHL/BC-16, PHL/BC-17, PHL/BC-21, PHL/BC-22, AMW-3, AMW-4, AMW-5, AMW-12A, AMW-15, LKC-3A, LKC-4, LKC-5, LKC-7, and UC-2 has previously indicated the presence of statistically significant differences for various parameters. Upon further scrutiny of the data provided by OAC Rule 3745-27-10(D)(7)(c)(ii), the Facility has demonstrated that an alternate source (natural/spatial variability) was responsible for the initial statistically significant differences, and that the initial statistically significant differences were, in fact, false positives for wells PHL/BC-1, PHL/BC-4, PHL/BC-5, PHL/BC-10, PHL/BC-11, PHL/BC-12, PHL/BC-14, PHL/BC-15, PHL/BC-16, PHL/BC-17, PHL/BC-21, PHL/BC-22, AMW-3, AMW-4, AMW-5, AMW-12A, AMW-15, LKC-3A, LKC-4, LKC-5, LKC-7, and UC-2.

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

Ohio EPA has reviewed the information provided and concurs that some of the data can be added to the background data group. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the Facility is hereby authorized to update the background

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database for the following wells: PHL/BC-1, PHL/BC-4, PHL/BC-5, PHL/BC-10, PHL/BC-11, PHL/BC-12, PHL/BC-14, PHL/BC-15, PHL/BC-16, PHL/BC-17, PHL/BC-21, PHL/BC-22, AMW-3, AMW-12A, AMW-15, LKC-5, LKC-7, and UC-2.

The request for ground water monitoring wells AMW-4, AMW-5, LKC-3A, and LKC-4 is not authorized.

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
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Joshua Adams of Ohio EPA DMWM, NEDO at joshua.adams@epa.state.oh.us or (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
Lynn Sowers, DMWM, NEDO
Jeff Rizzo, DDAGW, NEDO
Paul DePasquale, Stark County Health Department