



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

OHIO E.P.A.

OCT 22 2012

ENTERED DIRECTOR'S JOURNAL

October 22, 2012

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.

Evan Jahn, Facility Manager  
USA Waste Geneva Landfill, Inc.  
4339 Tuttle Road  
Geneva, Ohio 44041

By: Joseph Kasseker Date: 10-22-12

**RE: GENEVA LANDFILL, ASHTABULA COUNTY  
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii) APPROVAL**

Dear Mr. Jahn:

On August 6, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "2012 First Semiannual Ground-water Monitoring OAC 3745-27-10(D)(7)(c)(ii) Demonstration and Chloride Delineation Geneva Landfill," dated August 3, 2012, for the Geneva Landfill (Facility) located in Ashtabula County. This document was submitted by Eagon & Associates, Inc., on behalf of USA Waste Geneva Landfill, Inc., and contains the ground water sampling results and the statistical analysis from the March 28, 2012 and May 9, 2012 samples collected from monitoring well SW-5 at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that a statistically significant increase (SSI) of chloride was detected in monitoring well SW-5.

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 not later than 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.

Monitoring well SW-5 was initially sampled on March 28, 2012 and the resample that verified an exceedance of chloride was conducted on May 9, 2012. A comprehensive investigation was conducted which included 25 direct push sampling sites with water quality sampling and analysis for chloride, barium, ammonia, potassium, sodium, and other ions; pond water and pond sediment sampling; 15 soil probe analyses from three soil probes; sampling of landfill leachate and monitoring wells SW-5, SW-9 and SW-113; and analysis for Tritium, VOCs and Appendix I and II parameters at select locations. Results of the investigation indicate that the SSI at monitoring well SW-5 is a source other than the landfill.

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 3, 2012 document. Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), USA Waste Geneva Landfill, Inc. is hereby authorized to continue the detection monitoring program at the Facility for monitoring well SW-5.

Should future or existing ground water sampling results indicate statistically significant changes 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 of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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 St., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Colum McKenna of Ohio EPA, NEDO at (330) 963-1268.

Sincerely,



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

KMP/SJN/CM/cl

cc: Lynn Sowers, DMWM-NEDO  
Raymond Saporito, Ashtabula County Health Department