



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

NOV 18 2013

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.

By: Janet Casser Date: 11-18-13

Re: Millennium Landfill  
Director's Authorization  
Final Approval  
Industrial Solid Waste Landfill  
Ashtabula County  
ISWL018450

CERTIFIED

November 18, 2013

Rick Hughes  
Millennium Inorganic Chemicals, Inc.  
2900 Middle Road  
Ashtabula, Ohio 44004

**Subject: Millennium Ashtabula Landfill - Alternate Source Demonstration  
Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(b) Approval**

Dear Mr. Hughes:

On August 15, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "*Millennium Ashtabula Landfill, Middle Road - Ashtabula, Ohio, Groundwater Monitoring, Alternative Source Demonstration*" dated August 9, 2013, for the Millennium Ashtabula Landfill (Facility) located in Ashtabula County. This document was submitted by TM Engineering, Inc., on behalf of Millennium Inorganic Chemicals, Inc., and contains the ground water sampling results and the statistical analysis from the May 22, 2013 samples collected from monitoring wells monitoring wells MW 2-1, MW 2-3, and MW 2-4 at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated consecutive statistically significant increases (SSIs) at the following three monitoring wells:

- MW 2-1: calcium, potassium, sodium and ammonia,
- MW 2-3: alkalinity and
- MW 2-4: ammonia.

Pursuant to OAC Rule 3745-30-08(D)(9)(b), 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

Mr. Rick Hughes  
Millennium Inorganic Chemicals, Inc.  
Page 2 of 3

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 one hundred eighty (180) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-30-08(E) for ground water quality assessment monitoring.

Monitoring wells MW 2-1, MW 2-3, and MW 2-4 were initially sampled on May 22, 2013 and the resample did confirm an exceedance of calcium, potassium, sodium, and ammonia in the monitoring well MW 2-1, alkalinity in monitoring well MW 2-3, and ammonia in the monitoring well MW 2-4. Results of the investigation indicate that the SSIs at monitoring wells MW 2-1, MW 2-3, and MW 2-4 were not from waste-derived constituents from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 9, 2013 document. Pursuant to OAC Rule 3745-30-08D)(9)(b), Millennium Inorganic Chemicals, Inc. is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MW 2-1, MW 2-3, and MW 2-4.

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 3745-30-08(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

Mr. Rick Hughes  
Millennium Inorganic Chemicals, Inc.  
Page 3 of 3

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: Jarnal Singh, DMWM-NEDO  
Randy Barnes, Ashtabula County Health Department