



State of Ohio Environmental Protection Agency

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

**Re: American Landfill, Stark County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Ali:

On September 23, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a ground water demonstration, dated September 22, 2004, from Eagon and Associates, Inc., on behalf of American Landfill, Inc. (ALI), for the American Landfill (Facility) located in Stark County. This demonstration was submitted pursuant to OAC Rule 3745-27-10(E)(9)(b) and included information about the April 2004 semi-annual ground water detection sampling event. Specifically, the demonstration concluded that the statistically significant increases (SSIs) in ammonia at monitoring well AMW-16; chloride at monitoring wells LKC-4 and AMW-16; and sodium at monitoring well LKC-3A were not the result of the landfill and requested to reinstate these monitoring wells back into the detection monitoring program.

Pursuant to OAC Rule 3745-27-10(E)(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. The September 22, 2004, demonstration concluded that the SSI for ammonia at monitoring well AMW-16 was due to natural variation in ground water quality and the SSIs for chloride at monitoring wells LKC-4 and AMW-16 and sodium at monitoring well LKC-3A were due to remnant brine impact from historical oil and gas wells.

Ohio EPA has reviewed the applicable information, and we concur with the September 22, 2004, demonstration. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of monitoring wells AMW-16, LKC-4, and LKC-3A back into the detection monitoring program.

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

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Joseph P. Koncelik, Director

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in the detection monitoring program.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release ALI from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the Director of Ohio EPA is final and may be appealed to the Environmental Review Appeals Commission (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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days after filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any technical questions regarding this review, please contact Doug Dobransky of Ohio EPA, NEDO at (330) 963-1147. Please submit all correspondence to Scott Winkler, Ohio EPA, Northeast District Office, Division of Solid and Infectious Waste Management, 2110 East Aurora Road, Twinsburg, Ohio 44087.

Sincerely,

Joseph P. Koncelik  
Director

JPK/MM/sw

cc: Scott Winkler, DSIWM-NEDO  
Eric Adams, DSIWM-NEDO  
Scott Hester, DSIWM-CO  
Kirk Norris, Stark County Health Department