



State of Ohio Environmental Protection Agency

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September 2, 2009

Tom Johnson
Central Waste, Inc.
12003 Oyster Road
Alliance, OH 44601

**Re: Central Waste Landfill, Mahoning County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b)
Response to Request to Reinstate Detection Monitoring**

Dear Mr. Johnson:

On April 10, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a request dated April 9, 2009, for the Central Waste Landfill (Facility) located in Mahoning County. This document was submitted pursuant to OAC Rule 3745-27-10(E)(9)(b), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release of the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes in methyl ethyl ketone and acetone in monitoring wells MW-8D, MW-15D, and MW-20S/20SR and carbon disulfide in monitoring well MW-16D during the November 2007 ground water sampling event at the Facility.

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 from natural variation in ground water quality and request that the Director of Ohio EPA (Director) approve reinstatement of the detection monitoring program.

The April 9, 2009, document concluded that the statistically significant changes in methyl ethyl ketone and acetone in monitoring wells MW-8D, MW-15D, and MW-20S/20SR and carbon disulfide in monitoring well MW-16D were from a source other than the sanitary landfill facility and were not a result of impact from the landfill.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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Ohio EPA has reviewed the applicable information and concurs with the conclusion for monitoring wells MW-8D, MW-15D, and MW-20S/20SR. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for monitoring wells MW-8D, MW-15D, and MW-20S/20SR and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies only to monitoring wells MW-8D, MW-15D, and MW-20S/20SR. This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

Ohio EPA has determined that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant change in carbon disulfide in monitoring well MW-16D is not the result of impact from the Facility. Therefore, I cannot approve reinstatement of ground water detection monitoring for monitoring well MW-16D. The owner or operator shall comply with this ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (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 which 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 Commission at the following address:

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

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If you have any questions concerning this letter, please contact Katharina Snyder of Ohio EPA, DSIWM, NEDO at (330) 963-1257.

Sincerely,

Chris Korleski
Director

cc: Lynn Sowers, DSIWM-NEDO #2134
Mary Helen Smith, Mahoning County District Board of Health