



State of Ohio Environmental Protection Agency

Northeast District Office

OHIO E.P.A.

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FEB 22 2010
Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

ENTERED DIRECTOR'S JOURNAL

FEB 22 2010

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.

Tim Vandersall
Countywide Recycling and Disposal Facility
3619 Gracemont Avenue S.W.
East Sparta, OH 44626

By: Lee Fisher Date: 2-22-10

**RE: Countywide Recycling and Disposal Facility (RDF), Stark County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval for
MW-123R**

Dear Mr. Vandersall:

On November 20, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled *2009 Second Semi-annual Groundwater Monitoring Results and Statistical Analyses for MW-123R* dated November 18, 2009, for Countywide RDF (Facility) located in Stark County. This document was submitted by Eagon and Associates on behalf of Republic Services of Ohio II, LLC, and contains the ground water sampling results and the statistical analysis from the September 9, 2009, ground water sampling event conducted at the Facility for monitoring well MW-123R.

According to the document, analysis of the ground water detection monitoring data indicated the following statistically significant differences (SSDs) in significant zone of saturation (SZS) well MW-123R: potassium and chloride. Verification sampling performed on October 21, 2009, and subsequent statistical analyses confirmed the presence of the initial SSDs within MW-123R.

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 within 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.

The November 18, 2009, document concluded that the SSDs for potassium and chloride in MW-123R were due to natural and spatial variation within the SZS. Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the November 18, 2009, document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii),

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the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-123R.

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 is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 "Ohio Treasurer Kevin Boyce," 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 Environmental Review Appeals Commission at the following address:

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

If you have any questions concerning this letter, please contact Joshua Adams of Ohio EPA, DSIWM-NEDO at 330-963-1103 or joshua.adams@epa.ohio.gov.

Sincerely,



William T. Skowronski
Chief, Northeast District Office
for Chris Korleski
Director, Ohio EPA

WTS/CK/cl

cc: Scott Hester, DSIWM-CO
Jeffrey Rizzo, DDAGW-NEDO
Jeff Hurdley, Legal
Nicholas Bryan, AG-Office
Kirk Norris, Stark County Health Department
File: [Land/CWRDF/AUT/76] Proj ID# 2908