



State of Ohio Environmental Protection Agency

OHIO E.P.A.

MAILING ADDRESS:

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

JUN - 8 2010

P.O. Box 1049
Columbus, OH 43216-1049

ENTERED DIRECTOR'S JOURNAL

JUN 8 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 Haaf
Waste Management, Inc.
Statewide RDF
851 Robinson Road East
Erie, PA 16509

MA Shapiro Date: 6/8/2010

**Re: Statewide Recycling and Disposal Facility (RDF), Stark County
Corrective Measures Alternate Source Demonstration Approval**

Dear Mr. Haaf:

On January 22, 2010, 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 Semiannual Corrective Measures Activities Report, Alternate Source Demonstration*, dated January 20, 2010, for the Statewide RDF (Facility) located in Stark County. This document was submitted by Eagon and Associates, Inc., on behalf of Statewide RDF and contains an alternate source demonstration for verified statistically significant increases (SSI) in corrective measures wells MWU-12 and MW5C-1.

According to the document, analysis of the ground water detection monitoring data indicated SSIs of arsenic in ground water samples from corrective measures well MWU-12 and ammonia in ground water samples from corrective measures well MW5C-1.

In accordance with Section 9.2 of the approved Corrective Measures Plan (CMP), journalized on March 22, 2007, the owner or operator is requesting the Director, or an authorized representative, to find that the verified SSIs are due to natural variation and may continue to be evaluated as being below background. If the owner or operator does not receive approval to continue to evaluate ammonia at MW5C-1 and arsenic at MWU-12 as below background by June 8, 2010, which is 135 days from the date of notification, MW5C-1 and MWU-12 will need to be sampled for the Appendix II parameters contained in Ohio Administrative Code (OAC) Rule 3745-27-10, and a new rate, extent, and concentration determination will need to be established.

The January 20, 2010, document concluded that the SSI for arsenic in ground water samples from MWU-12 was a false positive due to natural variation in ground water quality and is not as a result of impact from the landfill.

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

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Waste Management, Inc.
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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the January 20, 2010, document for corrective measures well MWU-12. Therefore, in accordance with Section 9.2 of the approved CMP, the owner or operator is hereby authorized to continue to monitor and evaluate arsenic at MWU-12 as being below background.

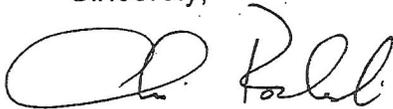
Ground water from corrective measures well MW5C-1 will need to be sampled for the Appendix II parameters contained in OAC Rule 3745-27-10, and a new rate, extent, and concentration determination will need to be established, in accordance with the CMP, journalized on March 22, 2007. Ohio EPA's evaluation of the SSI of ammonia at MW5C-1 will be discussed in separate correspondence.

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,



Chris Korleski, Director

cc: Lynn Sowers, DSIWM-NEDO
Mark Kroenke, DDAGW-NEDO
Kirk Norris, Stark County Health Department