



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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OCT -4 2010

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ENTERED DIRECTOR'S JOURNAL

OCT 04 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.

Mr. Gary Haney, P.E.
Program Administrator
First Energy
76 South Main St.
Akron, Ohio 44308

[Signature] Date: 10-4-10

Re: Ohio Edison (First Energy) Edgewater Plant, Class III Residual Waste Landfill, Lorain County Compliance Monitoring Program Plan

Dear Mr. Haney:

The Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO), received a document titled "Response to Comments, Ohio Environmental Protection Agency, Edgewater Plant Class III Residual Waste Landfill, Lorain County, Ohio" in March 2007, and a revision of the document in October 2007. Five deficiencies were noted. On May 28, 2010, Ohio EPA, NEDO received a revised submittal, dated May 27, 2010, and the associated revisions to the Ground Water Compliance Monitoring Plan (revised GWCMP). All deficiencies were resolved in the revised May 2010 submittal. These documents were prepared and submitted by KU Resources, Inc., on behalf of First Energy, Ohio Edison Company Edgewater Plant, Class III Residual Waste Landfill (Edgewater Landfill).

The Edgewater Landfill closed under the 2003 Residual Solid Waste Disposal Regulations, and is currently conducting post-closure ground water quality assessment monitoring in accordance with OAC Rule 3745-30-08 of the 2003 revised Solid and Infectious Waste Regulations. The reports were prepared and submitted to conform to the current requirements of OAC Rule 3745-30-08.

Ground water monitoring has confirmed that aluminum, chloride, cobalt, copper, iron, nickel, potassium, sodium, sulfate, and zinc exist at concentrations above background levels, and pH levels are lower than background levels, in downgradient ground water monitoring wells. OAC Rule 3745-30-08(E)(7) allows the owner or operator to request that the director approve a Compliance Monitoring Program (CMP) prior to submitting a corrective measures study in accordance with OAC Rule 3745-30-08(F).

Ohio EPA has reviewed the revised GWCMP and determined that implementation of a compliance monitoring program prior to submitting a corrective measures study is appropriate. Additionally, Ohio EPA has determined that the proposed compliance trigger levels for the above constituents are reasonable and justified. Therefore,

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

pursuant to OAC Rule 3745-30-08(E)(7), I hereby approve the revised GWCMP.

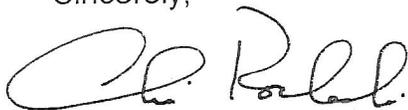
Should future or existing ground water sampling results indicate statistically significant increases above the trigger levels for those constituents established under OAC Rule 3745-30-08(E)(7)(b) and the approved GWCMP, the owner or operator shall submit a corrective measures study to the director in accordance with OAC Rule 3745-30-08(F) not later than 180 days after confirmation.

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 Clarissa Gereby of Ohio EPA, DSIWM-NEDO at (330) 963-1224.

Sincerely,



Chris Korleski
Director, Ohio EPA

cc: Jennifer Kurko, DSIWM-NEDO
Stephen Churchill, DDAGW-CO
John Sabo, Lorain County Health Department
Dwight Williams, KU Resources, Inc.
File: [Land/Ohio Edison-Edgewater/GRO/47]
Project ID# 954