



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

OHIO E.P.A.

OCT - 6 2010

ENTERED DIRECTOR'S JOURNAL

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

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.

By Chris Korleski Date: 10-6-10

**RE: CENTRAL WASTE LANDFILL, MAHONING COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(C)(7)(g) APPROVAL**

Dear Mr. Johnson:

On January 21, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled "MW-5SR Intrawell Demonstration and Request for Director's Approval to Update Background" dated January 19, 2010, for the Central Waste Landfill (Facility) located in Mahoning County.

According to the document, while the concentrations of cobalt in the ground water samples for the proposed background update of monitoring well MW-5SR range from 11 ug/L to 13 ug/L (2007-2009), these concentrations are only slightly higher than the statistical limit and appear to be the only regular statistically significant triggers at this well. This is a common scenario when natural variation (of a naturally occurring constituent) is not adequately captured in the background dataset before statistical analysis is initiated

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to the current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

The January 19, 2010 document concluded that the verified statistically significant cobalt results from monitoring well MW-5SR are due to natural variation in ground water quality in the mine spoil at the Facility and therefore these cobalt results should be incorporated into the background data set of monitoring well MW-5SR.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the January 19, 2010 document. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner or operator is hereby authorized to incorporate into the background data set for monitoring well MW-5SR the verified statistically significant cobalt results from monitoring well MW-5SR.

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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 Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,



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

WS/CK/KS/cl

cc: Lynn Sowers, DSIWM-NEDO
Scott Hester, DSIWM-CO
Mary Helen Smith, Mahoning County District Board of Health
DSIWM #3256