

**Environmental
Protection Agency**

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

OHIO E.P.A.

DEC - 2 2010

ENTERED DIRECTOR'S JOURNAL

DEC - 2 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.

Mohammad Ali
Waste Management
American Landfill
7916 Chapel Street, S.E.
Waynesburg, OH 44688-9700

By: Dany Lassiter Date: 12-2-10

**RE: AMERICAN LANDFILL, STARK COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(E)(9)(a) APPROVAL**

Dear Mr. Ali:

On July 27, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled *OAC Rule 3745-27-10(E)(9) Request and Demonstration for Wells PHL/BC-21 and PHL/BC 23 for American Landfill* dated July 26, 2010, for the American Landfill (Facility) located in Stark County. On November 15, 2010, Ohio EPA DSIWM-NEDO received a document titled *Addendum to the OAC Rule 3745-27-10(E)(9) Request and Demonstration for Wells PHL/BC-21 and PHL/BC-23* dated November 12, 2010, for the Facility. These documents were submitted by Eagon and Associates on behalf of the Facility pursuant to OAC Rule 3745-27-10(E)(9)(a), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release 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 for benzene in monitoring well PHL/BC-23 during the 2008 second semiannual ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(9)(a), the owner or operator may determine that the concentrations of ***all waste-derived constituents*** at all of the monitoring wells in a ground water quality assessment monitoring program, and at any additional wells that may have been installed as part of this assessment monitoring program, are shown to be at or below background values for two consecutive sampling events and may request that the director approve reinstatement of the ground water detection monitoring program for these monitoring wells and release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program requirements at the Facility.

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Based on the information contained in the request, the results of three consecutive sampling events, conducted during the 2009 second semiannual, 2010 first semiannual, and 2010 second semiannual ground water sampling events, indicated that the concentrations of all waste-derived constituents, including benzene were at or below background values. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(a), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring well in the ground water quality assessment monitoring program, noted above, 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 to monitoring well PHL/BC-23.

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).

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.

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, Ohio 43215

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

Sincerely,



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

WS/CK/JA/cl

cc: Lynn Sowers, DSIWM-NEDO
Scott Hester, DSIWM-CO
Jeff Rizzo, DDAGW-NEDO
Kirk Norris, Stark County Health Department