



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

JUN -6 2011

ENTERED DIRECTOR'S JOURNAL

JUN 06 2011

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

By: [Signature] Date: 6-6-11

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

Dear Mr. Haaf:

On January 21, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled *2010 Second Semiannual Corrective Measures Activities Report, Alternate Source Demonstration*, dated January 13, 2011, 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 a verified statistically significant increase (SSI) in corrective measures well MW5C-4.

According to the document, analysis of the ground water detection monitoring data indicated an SSI of arsenic in ground water samples from corrective measures well MW5C-4.

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, find that the verified SSIs are due to natural variation and continue to be evaluated as being below background. If the owner or operator does not receive approval to continue to evaluate arsenic at MW5C-4 as below background within 135 days of the date of notification, MW5C-4 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 13, 2011, document concluded that the SSI for arsenic in ground water samples from MW5C-4 was due to natural variation in ground water quality and is not a

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result of impact from the landfill.

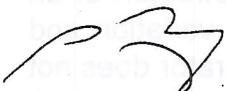
Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the January 13, 2011, document for corrective measures well MW5C-4. Therefore, in accordance with Section 9.2 of the approved CMP, the owner or operator is hereby authorized to continue to monitor and evaluate arsenic at MW5C-4 as being below background.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. 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 "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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

If you have any questions concerning this letter, please contact Joshua Adams of Ohio EPA, DMWM-NEDO at 330-963-1103.

Sincerely,



Scott J. Nally, Director

cc: Scott Hester, DMWM-CO
Kay Amey, DDAGW-NEDO
Joshua Adams, DMWM-NEDO
Kirk Norris, Stark County Health Department