



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

OHIO E.P.A.

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November 5, 2012

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 Vandersall
Countywide Recycling and Disposal Facility
3619 Gracemont Avenue S.W.
East Sparta, OH 44626

By: Donna Lassiter Date: 11-5-12

**RE: COUNTYWIDE RECYCLING AND DISPOSAL FACILITY (RDF)
STARK COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii)
APPROVAL**

Dear Mr. Vandersall:

On August 31, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "2012 First Semiannual Ground Water Monitoring OAC Rule 3745-27-10(D)(7)(C)(ii) Demonstration," dated August 29, 2012, for the Countywide RDF (Facility) located in Stark County. This document was submitted by Eagon and Associates on behalf of Republic Services of Ohio II, LLC, and contains the ground water sampling results and the statistical analysis from the April 10 and May 15, 2012 ground water sampling events at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: Chloride in ground water monitoring well (MW)-104B, Chloride and Sodium in MW-105A, Vanadium in MW-106A, Chloride in MW-109A, Selenium in MW-111A, Vanadium in MW-112A, Potassium and Sodium in MW-113A, Potassium in MW-114A, Potassium and Selenium in MW-116A, Cobalt, Nickel, Potassium, Vanadium, and Zinc in MW-117A, Chloride in MW-118B, Potassium and Selenium in MW-121A, Chloride and Sodium in MW-102, Chloride in MW-108, and Chloride in MW-111.

Verification sampling was performed on May 15, 2012. Analysis of the re-sampling data demonstrated that the statistically significant changes for Sodium in MW-105A, Chloride in MW-109A, Selenium in MW-116A, Vanadium in MW-117A, Selenium in MW-121A, Chloride in MW-108, and Chloride in MW-111 were false positives. Therefore, monitoring wells MW-105A for Sodium, MW-109A, MW-116A for Selenium, MW-117A for Vanadium, MW-121A for Selenium, MW-108, and MW-111 were automatically

returned to the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c)(i). Ohio EPA acknowledges the return of these wells to the detection monitoring program. However, the re-sampling data verified the statistically significant changes for Chloride in MW-104B, Chloride in MW-105A, Vanadium in MW-106A, Selenium in MW-111A, Vanadium in MW-112A, Potassium and Sodium in MW-113A, Potassium in MW-114A, Potassium in MW-116A, Cobalt, Nickel, Potassium, and Zinc in MW-117A, Chloride in MW-118B, Potassium in MW-121A, and Chloride and Sodium in MW-102.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring not later than two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The August 29, 2012 document concluded that the statistically significant changes for Chloride in MW-104B, Vanadium in MW-106A, Selenium in MW-111A, Vanadium in MW-112A, Potassium and Sodium in MW-113A, Potassium in MW-114A, Potassium in MW-116A, Cobalt, Nickel, Potassium, and Zinc in MW-117A, Chloride in MW-118B, and Potassium in MW-121A were due to natural and spatial variation within the uppermost aquifer system (UAS), statistical analyses, and/or a source other than the landfill and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 29, 2012 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MW-104B, MW-106A, MW-111A, MW-112A, MW-113A, MW-114A, MW-116A, MW-117A, MW-118B, and MW-121A.

The Facility has not requested the director reinstate detection monitoring for MW-102. The Facility will revise the Ground Water Quality Assessment Monitoring Program Plan to incorporate MW-102 and implement the plan on or by November 5, 2012.

At this time, Ohio EPA declines to act on the Facility's request to reinstate detection monitoring at well MW-105A. Therefore, the Facility shall revise the Ground Water Quality Assessment Monitoring Program Plan to incorporate MW-105A and implement the plan on or by November 5, 2012.

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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 assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the Director of Environmental Protection (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
77 South High St., 17th Floor
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,



Kurt M. Princic
Chief, Northeast District Office
for Scott J. Nally
Director, Ohio EPA

KMP/SJN/JA/cl

cc: Scott Hester, DMWM-CO
Lynn Sowers, DMWM-NEDO
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