



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

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

CERTIFIED

April 24, 2013

Tim Haaf  
Waste Management, Inc.  
Statewide RDF  
851 Robinson Road East  
Erie, PA 16509

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:  Date: 4.24.2013

**RE: STATEWIDE RECYCLING AND DISPOSAL FACILITY (RDF), STARK COUNTY CORRECTIVE MEASURES ALTERNATE SOURCE DEMONSTRATION APPROVAL MW5C-1, MW5C-4 AND MW5C-6**

Dear Mr. Haaf:

On January 25, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled *Alternate Source Demonstration for the 2012 Second Semiannual Corrective Measures Event, Corrective Measures Monitoring Wells MW5C-4, MW5C-1 and MW5C-6*, dated January 21, 2013, 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 verified statistically significant increases (SSIs) in corrective measures wells MW5C-4, MW5C-1 and MW5C-6.

According to the document, analysis of the ground water detection monitoring data indicated SSIs of arsenic in ground water samples at corrective measures well MW5C-4, chloride and potassium at MW5C-1, and sodium at MW5C-6.

In accordance with Section 9.2 of the owner or operator's 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 may 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, chloride and potassium at MW5C-1, and sodium at MW5C-6 as below background by May 20, 2013, which is 135 days from the date of notification, MW5C-4, MW5C-1 and MW5C-6 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 25, 2013 submittal concluded that the SSIs for arsenic at MW5C-4, chloride and potassium at MW5C-1, and sodium at MW5C-6 were false positives due to a source other than from the landfill and are not as a result of impact from the landfill nor from natural variation in ground water quality.

Tim Haaf  
Waste Management, Inc.  
Page 2

Ohio EPA has reviewed the applicable information and concurs with the demonstration, which is included in the January 25, 2013, submittal for corrective measures wells MW5C-4, MW5C-1 and MW5C-6, that the SSIs detected in the ground water monitoring program are due to a source other than the landfill. Therefore, in accordance with Section 9.2 of the owner or operator's approved CMP, the owner or operator is hereby authorized to continue monitoring and evaluating arsenic at MW5C-4, chloride and potassium at MW5C-1, and sodium at MW5C-6 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 ORC 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 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  
77 South High Street, 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, or [joshua.adams@epa.state.oh.us](mailto:joshua.adams@epa.state.oh.us).

Sincerely,



Scott J. Nally  
Director, Ohio EPA

SJN/JA/cl

cc: Lynn Sowers, DMWM-NEDO  
Scott Hester, DMWM-CO  
Kay Springer Amey, DDAGW-NEDO  
Paul DePasquale, Stark County Health Department