



State of Ohio Environmental Protection Agency

Northeast District Office

2110 E. Aurora Road  
Twinsburg, Ohio 44067-1969

TELE (330)425-9171 FAX (330)487-0769

Bob Taft, Governor  
Christopher Jones, Director

DEC 2 2002

Mr. Mark Gaetz  
Environmental Project Manager  
Minnesota Mining and Manufacturing Co. (3M)  
Environmental Technology & Safety Services  
900 Bush Avenue, Building 42-8E-27  
PO Box 33331  
St. Paul, MN 55133-3331

OHIO E.P.A.  
DEC - 2 2002  
ENTERED DIRECTOR'S JOURNAL

**RE: EAST LANDFILL, OAC 3745-29-10(D)(7)(c)**

Dear Mr. Gaetz:

The Ohio Environmental Protection Agency (Ohio EPA) received a ground water demonstration, submitted pursuant to Ohio Administrative Code (OAC) 3745-29-10(D)(7)(c), regarding 3M's East Landfill, located at 3149 Copley Road, Copley Township, Summit County. Weston Solutions, Inc., on behalf of 3M, submitted the demonstration in a ground water quality report, dated September 18, 2002. The demonstration indicates that a statistically significant increase in total iron was noted in monitoring well MW-55S during the July 2002 sampling event.

Pursuant to OAC 3745-29-10(D)(7)(c), the owner or operator may demonstrate that a source other than the facility caused the contamination, or the increase resulted from error during sampling, analysis, or evaluation, or natural variation in the groundwater. The demonstration concluded that the statistically significant increase was due to natural variation in the ground water.

Ohio EPA concurs with the demonstration and approves continuation of the detection monitoring program, pursuant to OAC 3745-29-10(D)(7)(c), for the well and parameters specified above. Upon the effective date of this approval, the owner or operator is not required to comply with OAC 3745-29-10(E) and (F) for the aforementioned sampling event in regard to well MW-55S.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the facility owner or operator will be required to enter into assessment monitoring, pursuant to OAC 3745-29-10(E), or obtain an approval to remain in the detection monitoring program.

*[Handwritten signature and date]*  
12/2/02

Mr. Mark Gaetz  
Minnesota Mining and Manufacturing Co. (3M)  
Page 2

Therefore, pursuant to OAC 3745-29-10(D)(7)(c), the owner/operator is hereby authorized to remain in detection monitoring at ground water monitoring well MW-55S.

Nothing in this authorization shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the owner or operator or others from responsibility under Ohio Revised Code Chapters 3704, 3714, 3734, or 6111, the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances and Control Act or the Comprehensive Response, Compensation and Liability Act, or from other applicable requirements for remedying conditions resulting from any release of contaminants from the facility to the environment.

You are hereby notified that this action of the Director of Environmental Protection 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission  
236 East Town Street  
Room 300  
Columbus, Ohio 43215

If you have any questions concerning this document, please contact Dave Dysle, Ohio EPA, Northeast District Office at (330) 963-1286.

Sincerely,



William Skowronski  
District Chief, Northeast District Office  
for Christopher Jones, Director

WS/CJ/DD/cl

cc: Scott Hester, DSIWM-CO  
Lynn Sowers, DSIWM-NEDO  
John Schmidt, DSIWM-NEDO  
Darrick Willis, Summit County Health Department  
File: [LAND/3M-Copley/AUTH/77]

Thomas Drew, Weston Solutions, Inc.  
Russ Kocher, DDAGW-NEDO