



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, Ohio 43215

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P.O. Box 1049  
Columbus, Ohio 43216-1049

Steve Viny  
Norton Environmental  
6200 Rockside Woods Blvd.  
Independence, Ohio 44131

**RE: ROYALTON ROAD LANDFILL, CUYAHOGA COUNTY  
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii)  
APPROVAL**

Dear Mr. Viny:

In a report dated August 24, 2004, and an addendum dated October 13, 2004, Norton Environmental submitted to the Ohio Environmental Protection Agency (Ohio EPA) a request to continue detection monitoring for selenium in ground water monitoring well MW-7 at the Royalton Road Landfill (Facility) located in Cuyahoga County.

According to OAC Rule 3745-27-10(D)(7)(c)(ii), the director can approve continuation of the detection monitoring program if the owner or operator demonstrates that a source other than the sanitary landfill facility caused the contamination or that the statistically significant increase over background resulted from error in the sampling, analysis, statistical evaluation or natural variation in ground water quality. The August 24, 2004 report and October 13, 2004 addendum conclude that the elevated presence of selenium was due to laboratory analysis.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), I hereby approve this demonstration. The owner/operator of the Facility may continue ground water detection monitoring for selenium at monitoring well MW-7.

Should future or existing ground water sampling results indicate statistically significant differences in ground water monitoring parameters, the owner or operator will be required to either enter the assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release Norton Environmental from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act or Comprehensive Environmental

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

Steve Vinny  
Norton Environmental, Inc.  
Page 2

Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants 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 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 30 days after issuance 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  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Katharina Snyder, Ohio EPA, Northeast District Office, Division of Solid and Infectious Waste Management at (330) 963-1257.

Sincerely,

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

WS/CJ/KS/cl

cc: Scott Hester, DSIWM-CO  
Katharina Snyder, DSIWM-NEDO  
Matt Johnson, Cuyahoga County Health Department  
Dave Silbaugh  
Lynn Sowers, DSIWM-NEDO