



State of Ohio Environmental Protection Agency

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Mohammed Ali
American Landfill
7916 Chapel Street, S.E.
Waynesburg, OH 44688-9700

**Re: American Landfill, Stark County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Ali:

The Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a false-positive ground water demonstration dated March 22, 2006, submitted pursuant to Ohio Administrative Code (OAC) 3745-27-10, regarding American Landfill located in Stark County. The demonstration was prepared and submitted by Eagon & Associates, Inc. on behalf of American Landfill and Waste Management, Inc.

The demonstration indicates that during the 2005 second semiannual ground water detection monitoring event, the following statistically significant increases were detected: chloride and sodium at wells LKC-3A, LKC-4, and AMW-16; chloride at wells AMW-3 and AMW-11; potassium at well AMW-7; ammonia at well AMW-16; barium at wells PHL/BC-1, PHL/BC-2, and PHL/BC-17; benzene at well PHL/BC-4; and sodium at well PHL/BC-15.

Pursuant to OAC 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the landfill facility caused the contamination, or that the statistically significant increase/false positive resulted from an error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. The March 22, 2006 document concluded that the statistically significant changes for sodium, chloride, potassium, ammonia and barium were due to natural variation in ground water quality, and not as a result of impact from the landfill. The demonstration also contained adequate supporting information that sufficiently documents that the statistically significant increases of benzene was due to a source other than the landfill.

Ohio EPA concurs with the demonstration and approves continuation of the detection monitoring program, pursuant to OAC Rule 3745-27-10(D)(7)(c), for monitoring wells LKC-3A, LKC-4, AMW-16, AMW-3, AMW-11, AMW-7, PHL/BC-1, PHL/BC-2, PHL/BC-4, PHL/BC-15, and PHL/BC-17. Upon the effective date of this approval, the owner or operator is not required to comply with OAC 3745-27-10(E) and (F) for the aforementioned sampling event in regard to the above-mentioned monitoring wells.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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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.

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 (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the Comprehensive Environmental 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 Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days after filing 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 document, please contact Joshua Adams, Ohio EPA, Northeast District Office at (330) 963-1103.

Sincerely,

William T. Skowronski, Chief
Northeast District Office

for Joseph P. Koncelik, Director
Ohio EPA

WTS/JA/cl

cc: Scott Hester, DSIWM, CO
Eric Adams, DSIWM, NEDO
Karen Naples, DSIWM, NEDO
Doug Dobransky, DDAGW, NEDO
Kirk Norris, Stark County Health Department