



State of Ohio Environmental Protection Agency

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

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

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

Dear Mr. Haaf:

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 23, 2006, submitted pursuant to Ohio Administrative Code (OAC) 3745-27-10, regarding Statewide RDF located in Stark County. The demonstration was prepared and submitted by Eagon & Associates, Inc. on behalf of Statewide RDF and Waste Management, Inc.

The demonstration indicates that during the 2005 second semiannual ground water detection monitoring event, the following statistically significant increase was detected: total chloride at well MWU-6.

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 23, 2006 document concluded that the statistically significant change for total chloride was due to natural variation in ground water quality, and not as a result of impact from the landfill.

Ohio EPA concurs with the demonstration and approves continuation of the detection monitoring program, pursuant to OAC 3745-27-10(D)(7)(c), for monitoring well MWU-6 and parameters specified above. 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 well.

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 3745-27-10(D) and (E), or obtain an approval to remain in the detection monitoring program.

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

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; 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 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
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
Doug Dobransky, DDAGW, NEDO
Kirk Norris, Stark County Health Department