



State of Ohio Environmental Protection Agency

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February 17, 2009

Frank Fellow, Senior District Manager
Waste Management
3415 Twp. Rd. 447
Glenford, Ohio 43739

**Re: Suburban (North) Recycling and Disposal Facility, Licking County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Ms. Robinson:

On December 23, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Central District Office (CDO) received a document titled "2008 Second Semiannual Ground-Water Results and Statistical Analysis" dated December 17, 2008, for the Suburban (North) Recycling and Disposal Facility (Facility) located in Licking County. This document was submitted by Eagon and Associates, Inc. on behalf of the Facility, and contains the ground water sampling results and the statistical analysis from the October 18 and 19, 2008, ground water sampling event.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: ammonia in monitoring well MW-1B and MW-4A; chloride in monitoring wells MW-1C, MW-2A and MW-4A; barium in monitoring well MW-5CR.

Verification sampling was performed on November 20-21, 2008. Analysis of the re-sampling data demonstrated that the statistically significant change for ammonia in monitoring well MW-4A was a false positive.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

The December 17, 2008, document concluded that the statistically significant changes for ammonia at monitoring well MW-1B, chloride at monitoring wells MW-1C, MW-2A and MW-4A, and barium at monitoring well MW-5CR, were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells MW-1B, MW-1C, MW-2A, MW-4A and MW-5CR, were initially sampled on October 18, 2008.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the December 17, 2008, document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MW-1B, MW-1C, MW-2A, MW-4A and MW-5CR.

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.

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 pursuant to Section 3745.04 of the Ohio Revised Code. 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 which 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

Frank Fello
Suburban Landfill, Inc.
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If you have any questions concerning this letter, please contact Allan Hurtt of Ohio EPA, CDO at (614) 728-3889.

Sincerely,

Isaac A. Robinson III, Chief
Central District Office
for Chris Korleski, Director

cc: Duane A Snyder DSIWM-CDO
Scott Hester, DSIWM-CO
Richele Piper, Licking County
Christopher Cobel, Eagon & Associates