



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.

JUL -1 2014

ENTERED DIRECTOR'S JOURNAL

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: [Signature] Date: 7-1-14

JUL 01 2014

Mr. Dave Matthews
Apex Sanitary Landfill
P.O. Box 157
Amsterdam, Ohio 43903

Re: Apex Sanitary Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Jefferson County
MSWL018772

RE: Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval

Dear Mr. Matthews:

On February 18, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled "Request to update Select Background Groundwater Data Sets Apex Landfill" dated February 14, 2014, for the Apex Landfill (Facility) located in Jefferson County. This document was submitted by Civil & Environmental Consultants Inc., (CEC) on behalf of the Facility pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g), and requested to update the background data group representing the background ground water quality at monitoring wells B-406 for arsenic, B-407 for arsenic, B-408SS for chloride, B-410 for sodium, B-12 for chloride and sodium, B-413R for chloride and sodium and B-414 for chloride pursuant to OAC Rule 3745-27-10(C)(7)(g).

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from analysis of four or more statistically independent samples after the data have been statistically compared to the current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

Ohio EPA has reviewed the request to determine if the alternate method of evaluation adequately demonstrates, in accordance with OAC Rule 3745-27-10(B)(1)(a), (C)(4), and (C)(5), that the data represents the quality of background ground water that has not been affected by past or present operations at the sanitary landfill facility. Ohio EPA concurs that the new proposed background data group for monitoring well B-406 for arsenic, B-407 for arsenic, B-408SS for chloride, B-410 for sodium, B-12 for chloride and sodium, B-413R for chloride and sodium and B-414 for chloride best represents the current ground water quality that has not been affected by past or present operations at the sanitary landfill facility. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner or operator is hereby authorized to update the background database for monitoring well B-406 for

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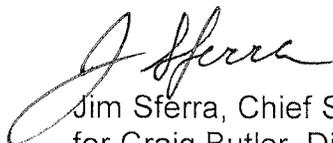
arsenic, B-407 for arsenic, B-408SS for chloride, B-410 for sodium, B-12 for chloride and sodium, B-413R for chloride and sodium and B-414 for chloride as detailed in the February 14, 2014 request.

You are hereby notified that this action of the Director of Environmental Protection (Director) 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 thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions, please feel free to contact Dale Warner in the Division of Materials and Waste Management at (740) 380-5435.

Sincerely,



Jim Sferra, Chief Southeast District Office
for Craig Butler, Director

CB/JS/DW/mr

cc: Jefferson County Health Department
Scott Hester, DSIWM, CO
SEDO-DSIWM
SEDO-DDAGW