



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

October 24, 2012

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

**Re: Statewide Recycling and Disposal Facility (RDF), Stark County
Corrective Measures Alternate Source Demonstration Approval
Monitoring Well MW5C-4**

Dear Mr. Haaf:

On July 5, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled *2012 First Semiannual Corrective Measures Activities Report, Alternate Source Demonstration for Corrective Measures Monitoring Well MW5C-4*, dated July 2, 2012, for the Statewide RDF (Facility) located in Stark County. This document was submitted by Eagon and Associates, Inc., on behalf of Statewide RDF and contains an alternate source demonstration for a verified statistically significant increase (SSI) in corrective measures well MW5C-4.

According to the document, analysis of the ground water detection monitoring data indicated an SSI of arsenic at well MW5C-4.

In accordance with Section 9.2 of the owner or operator's approved Corrective Measures Plan (CMP), journalized on March 22, 2007, the owner or operator may request that the Director, or an authorized representative, find that the verified SSI is due to natural variation in ground water quality or a source other than the landfill and may continue to be evaluated as being below background. If the owner or operator does not receive approval to continue to evaluate arsenic at well MW5C-4 as below background by November 19, 2012, which is 135 days from the date of notification, MW5C-4 will need to be sampled for the Appendix II parameters contained in Ohio Administrative Code (OAC) Rule 3745-27-10, and a new rate, extent, and concentration determination will need to be established.

OHIO E.P.A.

OCT 24 2012

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: John Casser Date: 10-24-12

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The July 5, 2012, submittal concluded that the SSI for arsenic at well MW5C-4 was a false positive due to a source other than the landfill and is not as a result of impact from the landfill nor from natural variation in ground water quality.

Ohio EPA has reviewed the applicable information and concurs with the demonstration, which is included in the July 5, 2012, submittal for corrective measures well MW5C-4, that the SSI for arsenic detected in the ground water monitoring program is due to a source other than the landfill. Therefore, in accordance with Section 9.2 of the owner or operator's approved CMP, the owner or operator is hereby authorized to continue monitoring and evaluating arsenic at well MW5C-4 as being below background.

You are hereby notified that this action of the Director 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 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 Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Joshua Adams of Ohio EPA, DMWM-NEDO at 330-963-1103 or joshua.adams@epa.state.oh.us.

Sincerely,



Scott J. Nally, Director

SJN/BM/ljm

cc: Scott Hester, DMWM-CO
Kay Springer Amey, DDAGW-NEDO
Joshua Adams, DMWM-NEDO
Paul DePasquale, Stark County Health Department