



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

OHIO E.P.A.

FEB -7 2014

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.

ENTERED DIRECTOR'S JOURNAL

By: 

Date: 2/7/2014

CERTIFIED

February 7, 2014

Jerry Ross
 Senior District Manager
 Waste Management
 3510 Garfield Road
 New Springfield, OH 44443

Re: Suburban(South) Landfill, Inc.
 Director's Authorization
 Approval
 Municipal Solid Waste Landfills
 Perry County
 MSWL018754

Subject: Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval

Dear Mr. Ross:

On November 29, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office, (SEDO) received a document titled "2013 Second Semiannual Ground-Water Results and Statistical Analyses with OAC 3745-27-10(D)(7)(c)(ii) Demonstration," dated November 25, 2013, for Suburban Landfill, Inc. (Facility) located in Perry County. This document was submitted by Eagon & Associates, Inc., on behalf of Suburban Landfill, Inc., and contains the ground water sampling results and the statistical analysis from the September 23 and 24, 2013 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: arsenic in monitoring well P-107C.

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 not later than 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.

The November 25, 2013 document concluded that the statistically significant changes for arsenic at monitoring well P-107C were due to *natural variation in ground water quality*, and not as a result of impact from the landfill. Monitoring well P-107C was initially sampled on September 23, 2013.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the November 25, 2013 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 well P-107C.

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 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 concerning this action, please contact Erika Jackson, DMWM, SEDO at (740) 380-5228.

Sincerely,



Jim Sferra, Chief
Southeast District Office
for Craig W. Butler, Interim Director

cc: Candy Robinson, Waste Management , 3415 Twp Road 447, Glenford OH 43739
Rich Fox, DMWM, SEDO
Cary Bowers, R.S., Perry County Health Department