



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Stephen A. Dubetz, P.E., P.S.
Manager, Engineering Services Division
City of Akron Department of Public Service
Bureau of Public Works
1436 Triplett Blvd.
Akron, Ohio 44306

**Re: Hardy Road Landfill, Summit County
Ohio Administrative Code (OAC) 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Dubetz:

On August 25, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled *Hardy Road Landfill, Submittal of July 6, 2005 Resample Data, OAC 3745-27-10(D)(7)(c)(ii) Demonstration for Sodium in MW-21*, dated August 24, 2005, for the Hardy Road Landfill (Facility) located in Summit County. This document was submitted by Eagon & Associates, on behalf of the city of Akron and Waste Management, Inc., and contains the ground water sampling results and the statistical analysis from the May 4, 2005, June 23, 2005, and July 6, 2005 ground water sampling events at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: sodium in monitoring well MW-21.

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.

The August 24, 2005 document concluded that the statistically significant change for sodium at monitoring well MW-21 was due to natural variation in ground water quality, and was not a result of impact from the landfill. Monitoring well MW-21 was initially sampled on May 4, 2005.

Ohio EPA has reviewed the applicable information and concurs with the demonstration

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

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included in the August 24, 2005 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 MW-21.

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 (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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days after filing 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 letter, please contact Dave Dysle of Ohio EPA, NEDO at (330) 963-1286.

Sincerely,

William Skowronski, District Chief
Northeast District Office
for Joseph P. Koncelik, Director

cc: Lynn Sowers, DSIWM NEDO
Scott Hester, DSIWM-CO
Julie Brown, Akron Health Department
Timothy Haff, Akron Regional Landfill, Inc.