



State of Ohio Environmental Protection Agency

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**RE: American Landfill
Stark County
Ground Water Monitoring
OAC rule 3745-27-10(D)(7)(c) Approval**

Mohammed Ali
American Landfill
7916 Chapel Street, S.E.
Waynesburg, OH 44688-9700

Dear Mr. Ali:

The Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a false statistical indication demonstration for the 2006 first semi-annual ground water detection monitoring event. The demonstration was prepared and submitted by Eagon & Associates, Inc, on behalf of American Landfill and Waste Management, Inc. The report is dated August 24, 2006 and was received by DSIWM-NEDO on August 25, 2006.

ALI is currently operating under the revised 2003 Solid and Infectious Waste regulations, and required to conduct detection monitoring in accordance with 3745-27-10 (D) of the Ohio Administrative Code (OAC). The demonstration is for reported statistically significant increases (SSI) of ammonia at monitoring well AMW-16; total chloride at monitoring wells LKC-3A, LKC-4, AMW-3, AMW-13, AMW-16, PHL/BC-15, and PHL/BC-16; sodium at monitoring wells LKC-3A, AMW-7, AMW-11A, AMW-16, PHL/BC-1, PHL/BC-15, and PHL/BC-17; potassium at monitoring wells AMW-7A and PHL/BC-16; and barium at PHL/BC-2 and PHL/BC-17.

Pursuant to OAC 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the landfill facility caused the contamination, or that the statistically significant increase/false positive resulted from an error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. The August 24, 2006 demonstration contained adequate supporting information that sufficiently documents the SSIs of sodium in wells AMW-16, LKC-3A, AMW-7 and AMW-11A, chloride in wells LKC-3A, LKC-4, AMW-3, PHL/BC-15 and PHL/BC-16, and potassium in wells PHL/BC-16 and AMW-7 were due to temporal variation. The demonstration contained adequate supporting information that sufficiently documents the SSIs of ammonia in well AMW-16, the sodium in wells PHL/BC-1, PHL/BC-15, PHL/BC-16 and PHL/BC-17, and the barium in wells PHL/BC-2 and PHL/BC-17 were due to natural temporal variation. The demonstration contained adequate

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supporting information that sufficiently documents the SSI of chloride in well AMW-16 was due to a source other than the landfill. Finally, the demonstration contained adequate supporting information that sufficiently documents the SSI of chloride in well AMW-13 was due to temporal variation and a source other than the landfill.

Ohio EPA concurs with the demonstration and approves continuation of the detection monitoring program, pursuant to OAC 3745-27-10(D)(7)(c), for monitoring wells AMW-3, AMW-7, AMW-11A, AMW-13, AMW-16, LKC-3A, LKC-4, PHL/BC-1, PHL/BC-2, PHL/BC-15, PHL/BC-16 and PHL/BC-17 and the parameters specified above. Upon the effective date of this approval, the owner or operator is not required to comply with OAC 3745-27-10(E) and (F) for the aforementioned sampling event in regard to the above-mentioned monitoring wells.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the facility owner or operator will be required to enter into assessment monitoring, pursuant to OAC 3745-27-10(D) and (E), or obtain an approval to remain in the detection monitoring program.

Therefore, pursuant to OAC 3745-27-10(D)(7)(c), the owner/operator is hereby authorized to remain in detection monitoring at ground water monitoring AMW-3, AMW-7, AMW-11A, AMW-13, AMW-16, LKC-3A, LKC-4, PHL/BC-1, PHL/BC-2, PHL/BC-15, PHL/BC-16 and PHL/BC-17 pursuant to OAC 3745-27-10(D)(7)(c)(ii).

Nothing in this authorization shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the owner or operator or others from responsibility under Ohio Revised Code Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants from the facility to the environment.

You are hereby notified that this action of the 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, OH 43215

American Landfill, Stark County
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If you have any questions concerning this document, please contact Joshua Adams, Ohio EPA, Northeast District Office at (330) 963-1103.

Sincerely,

William T. Skowronski, Chief
Northeast District Office

for Joseph P. Koncelik, Director
Ohio EPA

WTS/JA/cl

cc: Scott Hester, DSIWM, CO
Eric Adams, DSIWM, NEDO
Karen Naples, DSIWM, NEDO
Doug Dobransky, DDAGW, NEDO
Kirk Norris, Stark County Health Department