



State of Ohio Environmental Protection Agency

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Tim Vandersall
Countywide Recycling and Disposal Facility
3619 Gracemont Avenue S.W.
East Sparta, OH 44626

**Re: Countywide Recycling and Disposal Facility (RDF), Stark County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Vandersall:

On January 2, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled *2008 Second Semi-annual Groundwater Monitoring Results and Statistical Analyses* dated December 30, 2008, for Countywide RDF (Facility) located in Stark County. This document was submitted by Eagon and Associates on behalf of Republic Services of Ohio II, LLC, and contains the ground water sampling results and the statistical analysis from the October 20, 2008, 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 changes were detected: Acetone in uppermost aquifer system (UAS) monitoring well (MW) 16AR and in UAS MW-106A; Zinc in UAS MW-31A; and, Nickel and Zinc in UAS MW-105A.

Verification sampling was performed on November 25 and 26, 2008. Analysis of the re-sampling data demonstrated that the statistically significant changes for Acetone in MW-16AR and in MW-106A; and Nickel and Zinc in MW-105A were false positives. Therefore, monitoring wells MW-16AR, MW-106A and MW-105A were automatically returned to the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c)(i). Ohio EPA acknowledges the return of these well to the detection monitoring program. However, the re-sampling data verified the statistically significant changes for Zinc in MW-31A.

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 December 30, 2008, document concluded that the statistically significant changes for Zinc in MW-31A were due to natural and spatial variation within the UAS.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the December 30, 2008, 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-31A.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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 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, Ohio 43215

If you have any questions concerning this letter, please contact Joshua Adams of Ohio EPA, DSIWM-NEDO at 330-963-1103.

Sincerely,

William T. Skowronski, Chief Northeast District Office
for Chris Korleski, Director

cc: Scott Hester, DSIWM-CO
Lindsay Taliaferro III, DDAGW-CO
Eric Adams, DDAGW-NEDO
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