



State of Ohio Environmental Protection Agency

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Columbus, OH 43216-1049

May 26, 2009

Mohammad Ali  
Waste Management  
American Landfill  
7916 Chapel Street, S.E.  
Waynesburg, OH 44688-9700

**Re: American Landfill, Stark County  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Ali:

On January 9, 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 Semiannual Ground-Water Monitoring Results and OAC 3745-27-10(D)(7)(c)(ii) Demonstration, American Landfill" dated January 8, 2009, for the American Landfill (Facility) located in Stark County. This document was submitted by Eagon and Associates, Inc. and contains the ground water sampling results and the statistical analysis from the October 28-29, 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: arsenic at monitoring well PHL/BC-21; benzene at monitoring wells PHL/BC-4 and PHL/BC-23; chloride and copper at monitoring well PHL/BC-15; potassium at monitoring wells LKC-7 and AMW-5; selenium at monitoring wells PHL/BC-11, PHL/BC-12 and PHL/BC-14; and, sodium at monitoring wells AMW-10, LKC-3A, LKC-4, AMW-3, and PHL/BC-17.

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.

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

The January 8, 2009, document concluded that the statistically significant changes for sodium at monitoring wells AMW-10, LKC-3A, LKC-4, and AMW-3; benzene at monitoring well PHL/BC-4; and, copper at monitoring well PHL/BC-15 were due to a source other than the landfill and not as a result of impact from the landfill. The document also concluded that the statistically significant changes for potassium at monitoring wells LKC-7 and AMW-5; selenium at monitoring wells PHL/BC-11, PHL/BC-12 and PHL/BC-14; chloride at monitoring well PHL/BC-15; and, sodium at monitoring well PHL/BC-17 were due to natural variation in ground water quality and not as a result of impact from the landfill. Monitoring wells AMW-3, AMW-5, AMW-10, LKC-3A, LKC-4, LKC-7, PHL/BC-4, PHL/BC-11, PHL/BC-12, PHL/BC-14, PHL/BC-15, and PHL/BC-17 were initially sampled on October 28-29, 2008.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 10, 2008 document for monitoring wells AMW-3, AMW-5, AMW-10, LKC-3A, LKC-4, LKC-7, PHL/BC-4, PHL/BC-11, PHL/BC-12, PHL/BC-14, PHL/BC-15 and PHL/BC-17. 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 wells AMW-3, AMW-5, AMW-10, LKC-3A, LKC-4, LKC-7, PHL/BC-4, PHL/BC-11, PHL/BC-12, PHL/BC-14, PHL/BC-15 and PHL/BC-17.

The demonstration for ground water monitoring wells PHL/BC-21 and PHL/BC-23 will be addressed in a separate correspondence.

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:

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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,

Pamela S. Allen  
Chief, Division of Solid and Infectious Waste Management  
for Chris Korleski  
Director, Ohio EPA

WTS/CK/JA/cl

cc: Scott Hester, DSIWM-CO  
Doug Dobransky, DDAGW-NEDO  
Lindsay Taliaferro III, Manager, DDAGW-CO  
Kirk Norris, Stark County Health Department  
File: [Land/American/AUT/76]

DSIWM ID# 2528