



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

APRIL 12, 2019

Mr. Scott Herman  
Mahoning Landfill, Inc.  
3510 Garfield Road  
New Springfield, Ohio 44443

**Re: Mahoning Landfill Inc  
Non-Permit Related Exemption  
Approval  
Municipal Solid Waste Landfills  
Mahoning County  
MSWL018785**

**Subject: Mahoning Landfill, Inc., Mahoning County  
Exemption from the Requirements of Ohio Administrative Code (OAC)  
Rule 3745-27-10(F)(2)(e)(ii)**

Dear Mr. Herman:

Ohio EPA APR 12 '19  
Entered Directors Journal

On October 10, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a request, dated October 10, 2018, titled "Exemption Request to Delete EDB and DBCP from the Corrective Measures Monitoring Program" from Eagon & Associates on behalf of Mahoning Landfill, Inc. for Mahoning Landfill (Facility). The document was submitted in accordance with OAC Rule 3745-27-03(B), requesting an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii).

OAC Rule 3745-27-10(F)(2)(e)(ii) requires sampling for parameters 1-66 of Appendix I of this rule which were determined not to have been released to ground water. Mahoning Landfill, Inc. requested to delete 1,2-dibromo-3-chloropropane (DBCP) and 1,2-dibromoethane (EDB) from the corrective measures monitoring list for the Facility.

Sampling results for DBCP and EDB included in the exemption request support the removal of DBCP and EDB from the corrective measures monitoring parameter list. Based on the submitted data, Mahoning Landfill, Inc. has never had a verified detection of DBCP or EDB and the parameters are not reasonably expected to be in or derived from the waste contained or deposited in the landfill.

Ohio EPA has reviewed the exemption request and has determined that granting Mahoning Landfill, Inc. an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii) is unlikely to adversely affect public health or safety or the environment. Therefore, pursuant to Ohio Revised Code (ORC) Section 3734.02(G) and

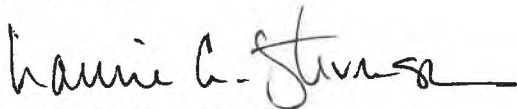
OAC Rule 3745-27-0(B), Mahoning Landfill, Inc. is hereby granted an exemption from the requirements in OAC 3745-27-10(F)(2)(e)(ii) only as it relates to determining the presence of DBCP or EDB in ground water above background levels. Mahoning Landfill, Inc. shall continue monitoring all the wells in corrective measures monitoring for parameters 1-27 and parameters 30-66 listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA. This exemption shall remain in effect throughout the effective period of this authorization unless otherwise revoked.

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 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  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you in separate correspondence. If you have any questions concerning this letter, please contact Al Muller of Ohio EPA, NEDO at (330) 963-1227.

Sincerely,



Laurie A. Stevenson  
Director

LAS:AM

ec: Eric Adams, Ohio EPA, DMWM, NEDO  
Lynn Sowers, Ohio EPA, DMWM, NEDO  
Clarissa Gereby, Ohio EPA, DMWM, NEDO  
Al Muller, Ohio EPA, DMWM, NEDO  
Dave Fetchko, Mahoning County Health Dept.  
Scott Herman, Mahoning Landfill