



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

SEPTEMBER 30, 2019

Mr. Noah Wayt
Waste Management
CSMG – Midwest Group
12201 Council Drive
North Jackson, Ohio 44451

**Re: Akron Regional Landfill Inc
Non-Permit Related Exemption
Approval
Municipal Solid Waste Landfills
Summit County
MSWL018777**

**Subject: Akron Regional Landfill, Summit County
Exemption from EDB and DBCP Monitoring within the Corrective
Measures Monitoring Program**

Dear Mr. Wayt:

Ohio EPA SEP 30 '19
Entered Directors Journal

On February 26, 2019, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a request, dated February 26, 2019, titled *Request for Exemption from the Requirements of OAC 3745-27-10*. The request was submitted by Eagon & Associates, Inc. on behalf of Waste Management (Owner) regarding the Akron Regional (Hardy Road) Landfill (Facility). The document was submitted in accordance with Ohio Administrative Code (OAC) Rule 3745-27-03(B) and requested 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 the parameters numbered 1-66 of Appendix I of this rule, which were determined not to have been released to ground water. The Owner requested to delete 1,2-dibromo-3-chloropropane (DBCP) and 1,2-dibromoethane (EDB) from the corrective measures monitoring parameter list for the landfill.

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, the Facility 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 the Owner 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 3745-27-03(B), the Owner is hereby granted an exemption from the requirements in OAC Rule 3745-27-10(F)(2)(e)(ii) only as it relates to determining the presence of DBCP or EDB in ground

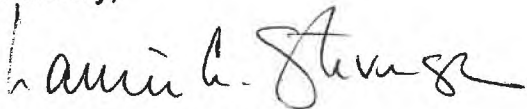
water above background levels at the Facility. The Owner shall continue monitoring all the wells in corrective measures monitoring for parameters 1-27 and parameters 30-66 listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA. This exemption shall remain in effect unless otherwise revoked.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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. The appeal must be filed with the Commission within 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, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Jeffrey Rizzo of Ohio EPA, DMWM, NEDO at (330) 963-1115.

Sincerely,



Laurie A. Stevenson
Director, Ohio EPA

LAS:JR

ec: Eric Adams, Ohio EPA, DMWM, NEDO
Jennifer Carlin, Ohio EPA, DMWM, NEDO
Jeremy Carroll, Ohio EPA, DMWM, CO