



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

September 14, 2020

Mr. Robert Schmude
Environmental Superintendent
INEOS Pigments USA, Inc.
2426 Middle Road
Ashtabula, Ohio 44004

**Re: Millennium Ashtabula Landfill
Director's Authorization
Approval
Industrial Solid Waste Landfills
Ashtabula County
ISWL018450**

**Subject: Millennium Ashtabula Landfill, Ashtabula County
Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(b) Approval**

Dear Mr. Schmude:

On August 17, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document dated August 13, 2020, titled, "Millennium Ashtabula Landfill, Middle Road, Ashtabula, Ohio Groundwater Monitoring Alternate Source Demonstration". The document was submitted in accordance with Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(b) by TM Engineering on behalf of INEOS Pigments USA, Inc., and requested approval of an alternate source demonstration for two consecutive statistically significant increases for chloride in monitoring well P2-6 at Millennium Ashtabula Landfill (Millennium) located at 2426 Middle Road, Ashtabula, Ohio 44004.

Pursuant to OAC Rule 3745-30-08(D)(9)(b), when the owner or operator demonstrates that the statistically significant increase to be an error in statistical procedure or from natural variation in ground water quality, a report documenting this demonstration shall be submitted as an addendum to the results and data required in paragraph (C)(8) of this rule for approval by the director or his authorized representative. The owner or operator shall comply with paragraphs (D)(8) to (D)(12) of this rule until the demonstration report is approved.

Millennium's submitted alternate source demonstration included time-series graphs, a piper diagram and historical data. Millennium was able to demonstrate that the identified statistically significant increase for chloride was due to natural variation in the ground water quality at well P2-6 and not due to the influence of leachate on ground water.

Ohio EPA has reviewed the applicable information and concurs with the conclusion that the identified statistically significant increase was due to natural variation in ground water quality. Therefore, pursuant to OAC Rule 3745-30-08(D)(9)(b), the owner or operator is hereby authorized to allow monitoring well P2-6 to remain in detection monitoring.

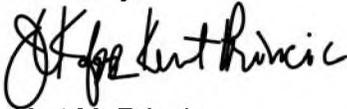
You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 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, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Paul Parrish of Ohio EPA, NEDO at (330) 963-1125.

Sincerely,



Kurt M. Princic
Chief, Northeast District Office
for Laurie A. Stevenson
Director, Ohio EPA

KMP/PMP/dy

ec: Robert Schmude, INEOS Pigments USA, Inc.
Randy Barnes, Ashtabula County Board of Health
Lynn Sowers, Ohio EPA, DMWM, NEDO
Eric Adams, Ohio EPA, DMWM, NEDO
Paul Parrish, Ohio EPA, DMWM, NEDO
Jen Carlin, Ohio EPA, DMWM, NEDO
Steve Kilper, ALMI

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