



ENTERED DIRECTOR'S JOURNAL

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

MAY 21 2015

Mr. Tim Gourley
Lake County Department of Utilities
Lake County Administration Center
105 Main Street, P.O. Box 490
Painesville, Ohio 44077

**Re: Lake County Solid Waste Facility
Director's Authorization
Approval
Municipal Solid Waste Landfills
Lake County
MSWL018755**

**Subject: Lake County Solid Waste Facility, Lake County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr Gourley:

On April 22, 2015, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a document titled "OAC Rule 3745-27-10(E)(9)(b) Request to Reinstate Well MW-2A to Detection Monitoring," dated April 21, 2015, for Lake County Solid Waste Facility (Facility) located in Lake County. This document was submitted by Mannik & Smith Group (MSG) on behalf of Lake County Solid Waste Facility, pursuant to OAC Rule 3745-27-10(E)(9)(b), and requested reinstatement of the ground water detection monitoring program for a specific monitoring well at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for: chloride detected at monitoring well MW-2A. The facility previously attempted to demonstrate that an alternate source of chloride SSIs in the till significant zone of saturation (SZS) well MW-2A is upwelling of brine from the Chagrin Shale with Alternate Source Demonstration (ASD) submissions to the agency dated November 24, 2014, April 2014, and October 2012. Ohio EPA determined that those previously ASDs for chloride in MW-2A were inadequate.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 from natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program.

The April 21, 2015, document concluded that the statistically significant changes for chloride in monitoring well MW-2A is due to natural variation in ground water quality and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring well in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility.

LAKE COUNTY SOLID WASTE FACILITY
DIRECTOR'S AUTHORIZATION
PAGE 2 OF 2

This approval of reinstatement of the detection monitoring program applies to monitoring well MW-2A.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Clarissa Gereby, DMWM, NEDO at (330) 963-1224.

Sincerely,



Kurt M. Prinic, Chief
Northeast District Office
for Craig W. Butler, Director

KMP:CG:cla

cc: Jarnal Singh, Ohio EPA, NEDO, DMWM
Laura Kuns, Lake County Health Department