



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

OHIO E.P.A.

SEP 28 2015

ENTERED DIRECTOR'S JOURNAL

SEP 28 2015

**RE: 3M Copley Site
Director's Authorization
Approval
Industrial Solid Waste Landfill
Summit County
ISWL018438**

Mr. Justin Pettinelli
Environmental Project Manager
3M Environmental Technology & Safety Services
3M Center, Building 223-25-31
St. Paul, MN 55144-1000

**Re: 3M Copley Site, Summit County
Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(a) Approval**

Dear Mr. Pettinelli:

On August 6, 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 3745-30-08 (D)(8) Notification and 3745-30-08 (D)(9)(a) Demonstration Closed East Landfill – 3M Copley, Ohio Site" dated August 4, 2015, for the 3M Copley Site (Facility) located in Summit County.

According to the document, analysis of the ground water detection monitoring data indicated that there were two consecutive statistically significant increases (SSIs) for well MW-06 for chromium.

Pursuant to OAC 3745-30-08(D)(9)(a), "When resampling demonstrates that the increase to be an error, the resampling results shall be submitted to Ohio EPA in accordance with paragraph (C)(8) of this rule. If the owner or operator demonstrates using a resampling method that the statistically significant increase over background was a false positive, then the owner or operator may return to detection monitoring. The owner or operator shall comply with paragraphs (D)(8) to (D)(12) of this rule until this demonstration is submitted."

The August 4, 2015, document concluded that the statistically significant changes for chromium at monitoring well MW-06 was due to a false positive, and not the result of waste-derived release from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 4, 2015, document. Therefore, pursuant to OAC Rule

3M COPLEY SITE
DIRECTOR'S AUTHORIZATION
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3745-30-08(D)(9)(a), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-06.

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 3745-30-08(E).

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

If you have any questions concerning this letter, please contact Jennifer Carlin of Ohio EPA, NEDO at (330) 963-1133.

Sincerely,



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

KMP:JC:cla

cc: Lynn Sowers, Ohio EPA, NEDO, DMWM
Scott Hester, Ohio EPA, Central Office. DMWM
Julie Brown, Summit County Health Department