



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

OHIO E.P.A.
NOV -4 2015

DIRECTOR'S JOURNAL

NOV 04 2015

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

Re: Mahoning Landfill, Inc
Director's Authorization
Approval
Municipal Solid Waste Landfills
Mahoning County
MSWL018785

**Subject: Mahoning Landfill, Inc., Mahoning County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Herman:

On September 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(D)(7)(c)(ii) Alternate Source Demonstration* dated September 21, 2015, for Mahoning Landfill, Inc. (Facility), located in Mahoning County. This document was submitted by Eagon and Associates on behalf of the Facility, and contains the ground water sampling results and the statistical analysis from the *2015 First Semiannual Groundwater Monitoring Event Report* at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected in the Significant Zone of Saturation (SZS) and Uppermost Aquifer System (UAS):

- SZS - UC-22 – Ammonia and Potassium
- SZS - LF/MKC-5 – Sodium
- UAS - MKS-7 – Barium
- UAS - MKS-8 – Ammonia

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), 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 natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring not later than two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The September 21, 2015, document concluded that the statistically significant changes for ammonia and potassium at monitoring well UC-22, sodium at monitoring well LF/MKC-5, barium at monitoring well MKS-7 and ammonia at monitoring well MKS-8 were due to natural/spatial variation within the SZS and the UAS and not as a result of impact from the landfill. Monitoring wells UC-22, LF/MKC-5, MKS-7 and MKS-8 were initially sampled on April 27, 2015.

MAHONING LANDFILL, INC
DIRECTOR'S AUTHORIZATION
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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 21, 2015, document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells UC-22, LF/MKC-5, MKS-7 and MKS-8.

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 assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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 action, please contact Clarissa Gereby, DMWM, NEDO at (330) 963-1224.

Sincerely,



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

KMP:SB:cla

ec: Lynn Sowers, Ohio EPA, NEDO, DMWM
Jeffery Rizzo, Ohio EPA, NEDO, DDAGW

cc: Dave Fetchko, Mahoning County Health Department