



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

MAY 19, 2017

Mr. Bill Ferrigno
City of Delaware
440 E. William Street
Delaware, Ohio 43015

**Re: Curve Road Landfill
Director's Authorization
Approval
Municipal Solid Waste
Landfills
Delaware County
MSWL020029**

Ohio EPA MAY 19 '17
Entered Directors Journal

**Subject: Curve Road Landfill, Delaware County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(2) Approval**

Dear Mr. Ferrigno:

On April 10, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Central District Office (CDO) received a request, dated April 5, 2017, titled "Alternate Parameter List Request per OAC Rule 3745-27-10(CD)(2)(b)". The document was submitted in accordance with OAC Rule 3745-27-10(D)(2) by Burgess & Niple, on behalf of the City of Delaware, and requested to remove 1,2-Dibromo-3-chloropropane (DBCP) and 1,2-Dibromoethane (EDB) from the list of Appendix I ground water monitoring parameters to be analyzed in monitoring wells at the Curve Road Landfill (Facility) located at 991 Curve Road, Delaware, Ohio.

Pursuant to OAC Rule 3745-27-10(D)(2), the owner or operator of a sanitary landfill facility may propose in writing to delete any of the Appendix I parameters monitored to meet the requirements of paragraphs (D)(5) to (D)(7) of OAC Rule 3745-27-10. The Director of Environmental Protection may approve an alternative list of monitoring parameters if the removed parameters are not reasonably expected to be in or derived from the waste contained or deposited in the sanitary landfill facility. Upon approval, the owner or operator may use the alternative list.

I have reviewed the applicable information and approve the alternative list removing DBCP and EDB from further ground water monitoring at the Facility. The Facility shall continue monitoring all wells in the monitoring system for the remaining parameters listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA.

You are hereby notified that this action of the 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

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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 Phil Farnlacher of Ohio EPA, CDO at (614) 728-3890.

Sincerely,



Isaac A. Robinson
Chief, Central District Office
for Craig W. Butler
Director, Ohio EPA

e: Constance Livchak, DMWM, CDO
Scott Hester, DMWM, CO
Doug Sams, Delaware County Health Department
Sarah Byerly, DDAGW, CDO