



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

APRIL 6, 2018

Mr. Evan Jahn
USA Waste Geneva Landfill, Inc.
4339 Tuttle Road
Geneva, OH 44041

Re: **USA Waste Geneva Landfill, Inc.
Non-Permit Related Exemption
Approval
Municipal Solid Waste Landfills
Ashtabula County
MSWL018758**

Ohio EPA APR 6 '18
Entered Directors Journal

**Subject: USA Waste Geneva Landfill, Ashtabula County
Exemption from the Requirements of Ohio Administrative Code (OAC)
Rule 3745-27-10(F)(2)(e)(ii)**

Dear Mr. Jahn:

On October 6, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a request, dated October 6, 2017, titled "Request for Exemption from the Requirements of OAC 3745-27-10(F)(2)(e)(ii)" (Request). The document was submitted by Eagon & Associates, Inc. on behalf of USA Waste Geneva Landfill, Inc. for the USA Waste Geneva Landfill (Facility) located at 4339 Tuttle Road, Geneva, Ohio. The document requested an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii), in accordance with OAC Rule 3745-27-03(B).

OAC Rule 3745-27-10(F)(2)(e)(ii) requires sampling for the parameters numbered 1-66 of Appendix I of this rule which were determined not to have been released to ground water. USA Waste Geneva Landfill, Inc. requested to delete 1,2-dibromo-3-chloropropane (DBCP) and 1,2-dibromoethane (EDB) from the corrective measures monitoring parameter list for the Facility.

The Request contains a demonstration supporting the removal of DBCP and EDB from the corrective measures monitoring parameter list. The demonstration consists of historical data tables presenting the results for EDB and DBCP analyses from sampling events between August 1998 and April 2017. The historical data indicate that EDB and DBCP have not been detected in ground water at the Facility and the parameters are not reasonably expected to be in or derived from the waste contained or deposited in the Facility.

Ohio EPA has reviewed the exemption request and has determined that granting USA Waste Geneva Landfill, Inc. an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to Ohio Revised Code (ORC) Section 3734.02(G) and OAC Rule 3745-27-03(B), USA Waste Geneva Landfill, Inc. is hereby granted an exemption from the

requirements in OAC Rule 3745-27-10(F)(2)(e)(ii) only as it relates to determining the presence of DBCP or EDB in ground water above background levels. USA Waste Geneva Landfill, Inc. shall continue monitoring all the wells in corrective measures monitoring for parameters 1-27 and parameters 30-66 listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA. This exemption shall remain in effect unless otherwise revoked.

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 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 Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,



Craig W. Butler
Director, Ohio EPA

CWB:KS

ec: Lynn Sowers, Ohio EPA, NEDO, DMWM
Jeff Rizzo, Ohio EPA, NEDO, DDAGW
Scott Hester, Ohio EPA, Central Office, DMWM
Randall Barnes, Ashtabula County Health Department