



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

JUNE 5, 2018

Mayor Pat Cadle
Village of Newcomerstown
124 West Church Street
Newcomerstown, Ohio 43832

Re: Newcomerstown Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Tuscarawas County
MSWL019981

Ohio EPA JUN 5 '18
Entered Directors Journal

**Subject: Newcomerstown Landfill, Tuscarawas County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(8)(b) Approval**

Dear Mayor Cadle:

On March 16, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled "Results of Verification Re-sampling for September 2017 Monitoring Event Groundwater Monitoring Well MW-7". The document was submitted in accordance with OAC Rule 3745-27-10(E)(8)(b) by North Point Engineering, on behalf of the Village of Newcomerstown (Owner), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at Newcomerstown Landfill (Facility) and to release the owner or operator from the obligation to comply with the groundwater quality assessment monitoring program implemented due to the detection of statistically significant changes for barium in monitoring well MW-7 during the September 1, 2017 ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(8)(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 March 16, 2018 document concluded that the statistically significant changes for barium at monitoring well MW-7 were due to a statistically false positive, 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)(8)(b), I hereby approve reinstatement of the groundwater detection monitoring program for the monitoring well in the groundwater 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. This approval of reinstatement of the detection monitoring program applies to monitoring well MW-7.

Should future or existing groundwater 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).

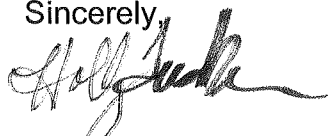
This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Nathan Johnson of Ohio EPA, SEDO at (740) 380-5439.

Sincerely,



Holly Tucker
Chief, Southeast District Office
for Craig W. Butler
Director, Ohio EPA

CB/HT/NJ/mr

ec: Rich Fox, DMWM, SEDO
Scott Hester, DMWM, CO
Tuscarawas County Health Department
Dave Hunt, DMWM, SEDO