



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

AUGUST 1, 2018

Mr. Noah Wayt  
Waste Management, Inc.  
851 Robinson Road East  
Erie, PA 16509

**Re: Akron Regional Landfill Inc  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Summit County  
MSWL018777**

**Subject: Hardy Road Sanitary Landfill, Summit County  
Selection of Corrective Measures**

Ohio EPA AUG 1 '18  
Entered Directors Journal

Dear Mr. Wayt:

On August 22, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received the Corrective Measures Plan (CMP) for the Hardy Road Landfill (Facility) located in Summit County. The CMP was submitted by Eagon & Associates on behalf of Waste Management, Inc. and the City of Akron.

The Facility is a municipal solid waste landfill. Waste Management, Inc., on behalf of the City of Akron, currently conducts ground water quality assessment monitoring at the Facility.

Ohio Administrative Code (OAC) Rule 3745-27-10(F) requires the owner or operator of a municipal solid waste landfill to submit a CMP upon determining, through assessment activities performed in accordance with OAC Rule 3745-27-10(E), that waste-derived contaminants have been detected in the ground water. In accordance with OAC Rule 3745-27-10, the Director shall select from the CMP the corrective measure(s) which best meet(s) the criteria listed in paragraphs (F)(2), (F)(3), and (F)(7) of the rule.

OAC Rule 3745-27-10(F)(2) requires the CMP to evaluate all practicable remediation procedures which are available for remediating any contamination discovered during assessment monitoring. OAC Rule 3745-27-10(F)(3) requires the CMP to include an evaluation of each proposed remediation procedure.

In accordance with OAC Rule 3745-27-10(F)(7), the CMP shall propose a concentration level for each waste-derived constituent detected in the ground water at a statistically significant level. In accordance with OAC Rule 3745-27-10(F)(7)(a), the proposed concentration levels are required to be protective of human health and safety and the

environment. In accordance with OAC Rule 3745-27-10(F)(7)(b)(i), if there is a maximum contaminant level (MCL) promulgated for the constituent, that shall be used as the concentration level. If an MCL has not been established, the background concentration shall be used unless the Director establishes an alternate ground water remediation standard in accordance with OAC Rule 3745-27-10(F)(7)(d).

The CMP was reviewed to determine if it meets the requirements listed in OAC Rules 3745-27-10(F)(2), (F)(3), and (F)(7). Upon review, it has been determined that the CMP includes provisions for semiannual sampling in accordance with OAC Rule 3745-27-10(F)(2); all practicable remediation procedures were evaluated for each assessment area in accordance with OAC Rule 3745-27-10(F)(3); and the ground water remediation standards meet the requirements of OAC Rule 3745-27-10(F)(7).

Ground water remediation standards (GWRS) specified in Table 1 were derived from the following:

- The GWRS for the constituents identified above background have been set equal to the MCL established for the constituent unless the constituent does not have an MCL;
- For the parameters that do not have an MCL, the GWRS has been established using a U.S. Health Advisory, SMCLs, or twice the historical upgradient background concentration.

<b>Waste Derived Constituent</b>	<b>GWRS</b>	<b>Basis for GWRS</b>
Ammonia	30 mg/L	Health Advisory Level
Chloride	250 mg/L	SMCL
Magnesium	170 mg/L	2x Background
Manganese	1.5 mg/L	2x Background
Potassium	9 mg/L	2x Background
Sodium	120 mg/L	2x Background
Sulfate	560 mg/L	2x Background
TDS	2220 mg/L	2x Background
Vinyl Chloride	2 mg/L	MCL

The CMP evaluated the four Corrective Measure Alternatives listed below:

- Alternative 1 - Continued Monitoring with Natural Attenuation – Continuation of semiannual monitoring of ground water wells to ensure natural attenuation processes are suitably occurring.

- Alternative 2 - Cut off Wall with Pump and Treat – Installation of cutoff wall downgradient from well MW-20, MW-21, and MW-23 and installation of interceptor pumping well(s).
- Alternative 3 - Additional Gas Extraction Wells and Flare – Rehabilitation and enhancement of the existing landfill gas extraction system upgradient of well MW-21 and installation of new gas flare, providing source control of the landfill gas considered the cause of low-level vinyl chloride detections.
- Alternative 4 - Phytoremediation – Bioremediation utilizing vegetation to remove, degrade, or stabilize contaminants in ground water.

Waste Management, Inc., on behalf of the City of Akron, has proposed Alternative 1 and Alternative 3. Alternative 1 provides ground water monitoring with natural attenuation to identify any future changes in ground water quality and confirm that natural attenuation processes are suitably occurring. There are no short-term risk exposure pathways (i.e. handling of impacted ground water or soils) associated with Alternative 1. There are no risks to human health or the environment beyond the property boundary. The ground water contamination is limited in extent and entirely contained within the property boundary. Alternative 3 provides source control of the landfill gas in the area of well MW-21, considered the cause of low-level vinyl chloride detections. Alternative 3 was completed in August and November of 2017 and January of 2018.

Ohio EPA has reviewed the CMP as described above and determined that the CMP and Corrective Measures Alternative 1 and Alternative 3 meet the requirements listed in OAC Rules 3745-27-10(F)(2), (F)(3), and (F)(7), including the requirement to be protective of human health and safety and the environment. Therefore, I select Alternative 1: Continued Monitoring with Natural Attenuation and Alternative 3: Additional Gas Extraction Wells and Flare as the corrective measures to be implemented at the facility. The City of Akron shall continue implementation of the selected corrective measures at the facility in accordance with the CMP, as received August 22, 2017.

This letter 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

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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, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

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

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Butler', with a stylized flourish at the end.

Craig W. Butler  
Director

CWB:JR

cc: Noah Wayt, Waste Management  
Jennifer Carlin, Ohio EPA, NEDO, DMWM  
Rebecca Bralek, Summit County Public Health