



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

AUGUST 17, 2018

Joe Tatarek
Apex Environmental Landfill
P.O. Box 157
Amsterdam, Ohio 43903

Re: Apex Environmental Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Jefferson County
MSWL018772

Ohio EPA AUG 17 '18
Entered Directors Journal

**Subject: Apex Environmental Landfill, Jefferson County
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Mr. Tatarek:

On May 15, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a request, dated May 14, 2018, titled *OAC Rule 3745-27-10(C)(7)(g) Request to Update Statistical Background*. The document was submitted in accordance with OAC Rule 3745-27-10(C)(7)(g) by Civil and Environmental Consultants, Inc., on behalf of Apex Environmental LLC (Apex), and requested to update the background data group representing the background water quality at monitoring wells: B-404L for ammonia, B-405 for chloride, B-405L for sodium, B-408S for chloride, B-408SS for chloride, B-412 for sodium, and B-414 for arsenic and chloride at Apex Environmental Landfill (Facility) located at 11 County Road 78 in Amsterdam, Ohio.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to the current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

Apex has proposed using the following statistically significant data from monitoring wells B-404L, B-405, B-405L, B-408S, B-408SS, B-412, and B-414 as part of the Facility's background data.

Apex Environmental Landfill
OAC Rule 3745-27-10(C)(7)(g)
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Monitoring Well	Constituent	Data	Sampling Date
B-404L	Ammonia	0.39 mg/L	12/13/2016
B-404L	Ammonia	0.47 mg/L	1/26/2017
B-404L	Ammonia	0.23 mg/L	5/16/2017
B-404L	Ammonia	0.40 mg/L	6/16/2017
B-404L	Ammonia	0.40 mg/L	12/13/2017
B-404L	Ammonia	0.47 mg/L	1/25/2018
B-405	Chloride	14.0 mg/L	5/18/2016
B-405	Chloride	10.0 mg/L	6/29/2016
B-405	Chloride	10.0 mg/L	12/13/2016
B-405	Chloride	12.0 mg/L	1/26/2017
B-405	Chloride	11.0 mg/L	5/16/2017
B-405L	Sodium	34.6 mg/L	5/16/2017
B-405L	Sodium	33.5 mg/L	6/16/2017
B-405L	Sodium	30.1 mg/L	12/14/2017
B-405L	Sodium	34.8 mg/L	1/26/2017
B-408S	Chloride	6.0 mg/L	5/16/2017
B-408SS	Chloride	8.0 mg/L	12/14/2016
B-408SS	Chloride	9.0 mg/L	5/16/2017
B-412	Sodium	62.3 mg/L	12/14/2016
B-414	Arsenic	11.1 µg/L	12/12/2012
B-414	Arsenic	3.4 µg/L	5/16/2017
B-414	Arsenic	6.6 µg/L	12/12/2017
B-414	Arsenic	3.1 µg/L	1/25/2017
B-414	Chloride	13.7 mg/L	5/10/2011
B-414	Chloride	8.0 mg/L	12/12/2017

Ohio EPA has reviewed the applicable information and concurs with the addition of the above data to existing background data. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner or operator is hereby authorized to incorporate the above data in

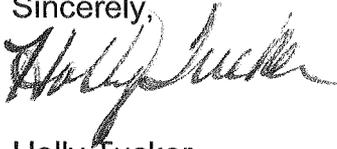
the Facility's background data. Please note that data submitted for monitoring well B-413R is still under review and statistically significant results cannot be considered for inclusion until this review is complete.

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

If you have any questions concerning this letter, please contact Sara Anderson of Ohio EPA, SEDO at (740) 380-5219.

Sincerely,



Holly Tucker
Chief, SEDO
for Craig W. Butler
Director, Ohio EPA

HT/SA/mr

ec: Joe Tatarek, Apex Sanitary Landfill
Roy Stanley, Civil and Environmental Consultants, Inc.
Carla Gampolo, Jefferson County General Health District
Rich Fox, DMWM, SEDO
Sara Anderson, DMWM, SEDO
Joe Laughery, DMWM, SEDO
Scott Hester, DMWM, CO