



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

September 4, 2009

**RE: HARDY ROAD LANDFILL  
GROUND WATER MONITORING  
RESCINDED NOV DATED 8/28/09**

**CERTIFIED MAIL**

Stephen A. Dubetz, P.E., P.S.  
Manager, Engineering Services Division  
City of Akron Department of Public Service  
Bureau of Public Works  
1436 Triplett Blvd.  
Akron, Ohio 44306

Dear Mr. Dubetz:

The Ohio Environmental Protection Agency (Ohio EPA) is rescinding the one violation that was in the notice of violation (NOV), dated August 28, 2009, regarding Hardy Road Landfill's ground water detection monitoring data. The NOV was based on the sampling report, dated July 2009 that contains the May 12 and 13, 2009 sampling data.

The violation cited was OAC 3745-27-10 (C)(10) requiring, in part, that *"all ground water elevation, sample analysis and statistical analysis results generated in accordance with paragraph(D) of this rule shall be submitted to Ohio EPA not later than seventy-five days after sampling the well."*

Ohio EPA incorrectly calculated the 75-day deadline. The correct 75-day submittal deadline is July 26, 2009 (75 days from May 12, 2009). Since Ohio EPA received the report on July 24, 2009, before the submittal deadline, there is no violation of OAC 3745-27-10(C)(10). Please disregard the August 28, 2009 NOV.

Sincerely,

Dave Dysle  
Environmental Specialist  
Division of Solid and Infectious Waste Management

DD:cl

cc: John Schmidt, DSIWM, NEDO  
Doug Dobransky, DDAGW, NEDO  
Julie Brown, Akron Health Department  
Timothy Haaf, Akron Regional Landfill, Inc.  
File: [Sowers/LAND/Hardy Road/GRO/77]

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PS Form 3800, August 2006 See Reverse for Instructions

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 Stephen A. Dubetz, P.E., P.S.  
 Manager, Engineering Services Division  
 City of Akron Department of Public Service  
 Bureau of Public Works  
 1436 Triplett Blvd.  
 Akron, Ohio 44306

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