



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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MAY 17 2010

MAILING ADDRESS:

ENTERED DIRECTOR'S JOURNAL  
P.O. Box 1049  
Columbus, OH 43216-1049

MAY 17 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Ashland County Commissioners  
Ashland County Courthouse  
110 Cottage Street  
Ashland, Ohio 44805

By: [Signature] Date: 5-17-10

**Re: Ashland County Landfill, Ashland County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b)  
Response to Request to Reinstate Detection Monitoring**

Dear Commissioners:

On November 6, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled *"Notification of Statistical Significance, Alternate Source Demonstration, contained in the Statistical Report of Groundwater Quality"* for the Ashland County Landfill (Facility), located in Vermillion Township, Ashland County, Ohio. This document was submitted by Hull and Associates, Inc. (HAI) on behalf of the owner/operator, pursuant to OAC Rule 3745-27-10(E)(9)(b), for reinstatement of detection monitoring at Ashland County Landfill.

Pursuant to OAC Rule 3745-27-10(E)(9)(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 November 6, 2009, document concluded that the statistically significant change for chloride and sodium at monitoring well SW-1 during the August 2009 sampling event, and October 2009 sampling event was due to a source other than the sanitary landfill facility, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and has determined that the owner or operator has not demonstrated that the statistically significant increase in chloride and sodium is not the result of impact from the facility. Therefore, I cannot grant approval to reinstate ground water monitoring well SW-1 back into the ground water detection monitoring program at the Facility. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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

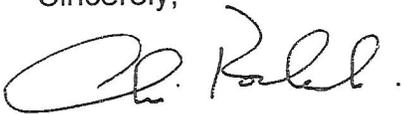
A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you in separate correspondence.

You are hereby notified that this action of the 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 "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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  
309 South Fourth Street, Room 222  
Columbus, OH 43215

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,



Chris Korleski, Director

pc: Ashland County Health Department  
William Petruzzi, Hull & Associates, Inc.  
Scott Hester, DSIWM-CO  
Dale McLane, DDAGW-NWDO  
Jack Leow, DDAGW-NWDO  
Mike Reiser, DSIWM-NWDO  
5-9142