OhioEPA
State of Ohio Environmental Protection Agency

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ENTERED DIRECTOR'S JOURNAL

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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.

By: _____ Date: 6-9-10

Michael B. Dreisbach, Service Director
City of Oxford
Municipal Building
101 East High Street
Oxford, Ohio 45056-1887

Re: Closed Oxford Sanitary Landfill, Butler County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval

Dear Mr. Dreisbach:

On February 5, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office(SWDO) received a document titled "*2009 Second Semiannual Ground-Water Monitoring Results*" dated February 1, 2010, for the Closed Oxford Sanitary Landfill (Facility) located in Butler County. This document was submitted by Eagon & Associates (EAI), on behalf of the City of Oxford, and contains a request pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii) to allow a ground water monitoring well at the Facility to remain in the detection monitoring program despite statistically significant changes detected during the November 23, 2009 sampling event.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: sodium and chloride in MW-9.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), 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 natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The February 1, 2010 document concluded that the statistically significant changes for chloride & sodium in monitoring well MW-9 were due to *natural variation in ground water quality*, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the February 1, 2010 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-9.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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 Monte Bluebaum of Ohio EPA, SWDO/DSIWM, at (937) 285-6647 or Greg Brown, SWDO/DDAGW, at (937) 285-6407.

Sincerely,

Jeff G. Hines, Chief,
Southwest District Office
for Chris Korleski, Director

cc: David Treleaven, Environmental Specialist, City Of Oxford
Chief of Environmental Services, Butler County
Tracy Buchanan, DSIWM-SWDO
Scott Hester, DSWIM-CO
Greg Brown, DDAGW-SWDO