



**Environmental
Protection Agency**

Ed Brown, Governor
Bob Fitch, Lt. Governor
John P. Costello, Director

OHIO E.P.A.

SEP 22 2010

ENTERED DIRECTOR'S JOURNAL

SEP 22 2010

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

**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 June 1, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Additional Alternate Source Demonstration for Monitor Well SW-1", dated May 28, 2010, 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), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for chloride and sodium at SW-1 during the August 26, 2009, ground water sampling event at the Facility.

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 May 28, 2010, document concluded that the statistically significant changes for chloride and sodium at SW-1 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 May 28, 2010, document. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well SW-1.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

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.

Northwest District Office
347 North Dunbridge Road
Bowling Green, OH 43402-9398

419 | 352 8461
419 | 352 8468 (fax)
www.epa.ohio.gov

[Signature] Date: 9-22-10

This approval 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.

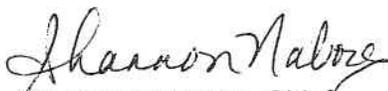
A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

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,



Shannon Nabors, Chief
Northwest District Office
for Chris Korleski, Director

/llr

pc: Ashland County Health Department
William Petruzzi, Hull & Associates, Inc.
Dale McLane, DDAGW-NWDO
Jack Leow, DDAGW-NWDO
Mike Reiser, DSIWM-NWDO
5-9478