



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

OHIO E.P.A.

MAR - 3 2011

ENTERED DIRECTOR'S JOURNAL

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Mr. Robert Sowers  
Public Administrative Services Director  
City of Fairborn  
44 West Hebble Avenue  
Fairborn, Ohio 45324-4999

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: John Lessiter Date: 3-3-11

**RE: Closed City of Fairborn Landfill  
Corrective Measures Plan Revision:  
Return to Semi-Annual Ground Water Monitoring**

Dear Mr. Sowers:

On November 5, 2008, the Ohio Environmental Protection Agency (Ohio EPA) approved a Corrective Measures Plan (CMP) for the Closed City of Fairborn Landfill (Facility) located in Greene County. This plan was prepared and submitted in accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(F) in response to on-site arsenic detections in excess of the maximum contaminant level (MCL).

The CMP required the City of Fairborn (City), in part, to increase the frequency of ground water monitoring from semi-annually to quarterly in order to evaluate effectiveness of natural attenuation and detect any further increases, to review the ground water data after a two (2) year period to determine whether a return to semi-annual monitoring would be sufficient to continue the evaluation, and to submit a request to Ohio EPA accordingly.

On November 10, 2010, Ohio EPA received a request pursuant to the Facility's CMP to return to semi-annual ground water monitoring from quarterly. The request showed that nine (9) quarters of quarterly monitoring, begun on October 7, 2008, had returned results indicating arsenic concentrations remained stable and that semi-annual monitoring would be sufficient to detect potential changes in trends.

Ohio EPA has reviewed the request and concurs with the City's conclusion that a return to semi-annual ground water monitoring at the Facility would be sufficient to detect potential changes in arsenic concentration trends. Therefore, I hereby authorize the City of Fairborn to conduct semi-annual ground water monitoring in place of quarterly ground water monitoring at the Facility.

Should the City detect an increasing arsenic concentration trend at the Facility, the City shall notify Ohio EPA and increase ground water monitoring frequency to quarterly.

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  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Greg Brown or Jill Olberding of Ohio EPA, Southwest District Office at (937) 285-6357.

Sincerely,



Scott J. Nally  
Director

cc: Greene County Combined Health District  
Matt Justice, DDAGW-SWDO  
Tracy Buchanan, DSIWM- SWDO