



State of Ohio Environmental Protection Agency

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**MAILING ADDRESS:**

P.O. Box 1049  
Columbus, Ohio 43216-1049

Hardin County Commissioners  
One Courthouse Square  
Suite 100  
Kenton, Ohio 43326

**Re: Closed Hardin County Landfill  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(a) & (E)(9)(b) Approval**

Dear Commissioners:

On October 23, 2003, the Mannik & Smith Group submitted, on behalf of the Hardin County Commissioners, a request to the Ohio Environmental Protection Agency (Ohio EPA) to reinstate two ground water monitoring wells back into the detection monitoring program at the closed Hardin County Landfill (Facility). The request was made in accordance with Ohio Administrative Code (OAC) Rules 3745-27-10(E)(9)(a) and (E)(9)(b).

Based on a previous sampling event, monitoring well BW-4 has indicated the presence of selenium, and monitoring well BW-2 has indicated the presence of beryllium in the ground water.

OAC Rule 3745-27-10(E)(9)(a) states:

If the owner or operator determines that the concentrations of all waste-derived constituents are shown to be at or below background values, using the statistical procedures described in paragraph (C)(6) of this rule for two consecutive sampling events, then the owner or operator may request, in writing, that the director approve reinstatement of the detection monitoring program described in paragraphs (C) and (D) of this rule.

OAC Rule 3745-27-10(E)(9)(b) states:

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, statistical evaluation, or natural variation in ground water quality. A report documenting this demonstration must be submitted to [the] director and request that the director approve reinstatement of the detection monitoring program described in paragraphs (C) and (D) of this rule.

Based on the information contained in the request, the results of two subsequent and consecutive sampling events indicated that the selenium concentration at monitoring well BW-4 was below background values. Furthermore, the information also indicated that the statistically significant increase of beryllium at monitoring well BW-2 resulted from an error in sampling or analysis. Ohio

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director



EPA has reviewed the information, and we concur with the above conclusions. Therefore, pursuant to OAC Rules 3745-27-10(E)(9)(a) and (E)(9)(b), I hereby approve reinstatement of monitoring wells BW-4 and BW-2 back into the detection monitoring program for selenium and beryllium, respectively. A detailed account of Ohio EPA's review of the request will be sent to you separately.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner/operator will be required to either enter into assessment 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 of Environmental Protection 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed with the commission. An appeal may be filed with the 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 approval, please contact Mike Reiser of Ohio EPA's Northwest District Office at (419) 373-3126.

Sincerely,

Christopher Jones  
Director

cc: David Zeller, Hardin County Health Department  
Tom Covrett, Mannik & Smith Group  
Randy Skrzyniecki, DDAGW, NWDO  
Jack Leow, DDAGW, NWDO  
Mike Reiser, DSIWM, NWDO  
Scott Hester, DSIWM, Central Office  
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