



State of Ohio Environmental Protection Agency

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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) Approval**

Dear Commissioners:

On May 6, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Statistical Report of Ground Water Quality for the Ashland County Landfill," dated May 2005, for the Ashland County Landfill (Facility) located in Ashland County. This document was submitted by Hull & Associates, Inc., on behalf of Ashland County, and contains the ground water sampling results and the statistical analysis from the February 22, 2005 ground water sampling event at the Facility. Due to the amount of time that has elapsed since this document was submitted, Ohio EPA is reviewing the request under OAC Rule 3745-27-10(E)(9)(b).

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 6, 2005 document concluded that the statistically significant changes for sodium at monitoring well BW-10 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 this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well BW-10.

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

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

Ashland County Commissioners
Ashland County Landfill
Page 2 of 2

in the detection monitoring program.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days after filing 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 letter, please contact Mary Ann Miller of Ohio EPA, NWDO at 419-373-3060.

Sincerely,

Shannon Nabors, Chief
Northwest District Office
for Joseph P. Koncelik, Director

cc: Ellen Gerber, DSIWM-NWDO
Scott Hester, DSWIM-CO
Pat Donaldson, Ashland County Health Department