



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

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

Re: Ashland County Landfill, Ashland County
Refusal to Authorize Continuation of Ground Water Detection Monitoring

Dear Commissioners:

On November 4, 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," for the Ashland County Landfill (Facility) located in Ashland County. This document was submitted by Hull & Associates, Inc., on behalf of the Ashland County Commissioners, and contains the ground water sampling results and the statistical analysis from the August 24, 2005 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: chloride in monitoring well BW-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 from 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.

Ohio EPA has reviewed the November 4, 2005, document and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant change in chloride at monitoring well BW-9 was from a source other than the landfill, or that the statistically significant change resulted from an error in sampling, analysis, or statistical evaluation, or from natural variation in ground water quality.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

Ohio EPA is an Equal Opportunity

Therefore, I refuse to grant approval to continue detection monitoring for monitoring well BW-9 at the Facility. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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 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. The appeal 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 of 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 document, you may contact Mary Ann Miller of Ohio EPA, NWDO at (419) 373-3060.

Sincerely,

Joseph P. Koncelik
Director

JPK/MM/MG/sw

cc: Ellen Gerber, DSIWM-NWDO
Scott Hester, DSWIM-CO
Pat Donaldson, Ashland County Health Department
5-5586