



State of Ohio Environmental Protection Agency

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P.O. Box 1049
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March 7, 2007

Hancock County Board of Commissioners
300 South Main Street
Findlay, Ohio 45840

**Re: Hancock County Landfill, Hancock County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Commissioners:

On January 30, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Hancock County Sanitary Landfill - Demonstration of False Indication of Contamination of Potassium in SW-4, SW-5, and SW-13" dated January 29, 2007, for the Hancock County Sanitary Landfill (Facility), located in Hancock County. This document was submitted by Malcolm Pirnie, Inc. on behalf of the Hancock County Commissioners, 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 a statistically significant change for potassium in monitoring wells SW-4, SW-5, and SW-13 during the May 10 and 11, 2005, semi-annual sampling event and the June 16, 2005, confirmation 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.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

The January 29, 2007 document concluded that the statistically significant changes for potassium at monitoring wells SW-4, SW-5, and SW-13 were due to errors in statistical evaluation of the ground water data, 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 SW-4, SW-5, and SW-13.

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).

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.

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 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 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, Ohio 43215

If you have any questions concerning this letter, please contact Jeremy Scoles of Ohio EPA, NWDO at (419) 373-3079.

Sincerely,

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

/csl

pc: John Shoop, Hancock County Health Department
Scott Hester, DSIWM, CO
Randy Skrzyniecki, DDAGW, NWDO
Jack Leow, DDAGW, NWDO
Jeremy Scoles , DSIWM, NWDO
Wesley Rhiel, Malcolm Pirnie, Inc.