



State of Ohio Environmental Protection Agency

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CERTIFIED MAIL

Mayor David Raizk
City of Wilmington
69 North South Street
Wilmington, Ohio 45177

**Re: Wilmington Landfill, Clinton County
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Mayor Raizk:

On June 11, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received documents titled "Request to Update Statistical Background for Barium in Downgradient Monitoring Wells P-1, P-3, and P-6 at the Wilmington Sanitary Landfill; WIL041.100.0010.DOC," dated June 7, 2007, for the Wilmington Sanitary Landfill (Facility) located in Clinton County. This document was submitted by Karen Okonta of Hull and Associates, Inc. on behalf of the City of Wilmington (City), pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g).

The City has requested approval to update barium concentrations showing increasing trends. Pursuant to OAC Rule 3745-27-10(C)(7)(g) background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

Ohio EPA, Division of Drinking and Ground Waters (DDAGW) has reviewed the proposal and concurs that this data can be added to the background database. It has been determined that barium concentrations in monitoring well(s) P-1, P-3, and P-6, are representative of naturally occurring water quality. The trends are believed to be naturally occurring with upgradient concentrations increasing concurrently with downgradient concentrations. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the Facility is authorized to add the barium data to the background data set. The Facility has provided evidence that upgradient monitoring well P-4 is increasing in barium concentrations in conjunction with the downgradient monitoring wells P-1, P-3 and P-6. Therefore pursuant to OAC Rule 3745-27-10(C)(7)(g), the Facility is authorized to add the barium data to the

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background data set.

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 Maria Lammers of Ohio EPA, SWDO at (937) 285-6046.

Sincerely,

Thomas A. Winston, P.E., Chief
Southwest District Office
for Chris Korleski, Director

cc: Tracy Buchanan, DSIWM-SWDO
Scott Hester, DSWIM-CO
Matt Johannes, Clinton County Health Department
Don Maher, Wilmington Landfill

TAW/ML/ca