



State of Ohio Environmental Protection Agency

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Mr. Thomas Hitchcock
Director of Public Service and Safety
City of St. Marys
101 East Spring Street
St. Marys, Ohio 45885

**Re: Closed St. Marys Landfill, Auglaize County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Hitchcock:

On July 12, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Alternate Source Demonstration for Statistical Significances for Cadmium and Nickel in Monitoring Well BW-4 and for Chloride in Monitoring Wells BW-5 and BW-6 at the St. Marys Landfill" dated June 28, 2007, for the St. Marys Landfill (Facility) located in Auglaize County. This document was submitted by Hull and Associates on behalf of the City of St. Marys, and contains the ground water sampling results and the statistical analysis from the February 1, 2007 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 changes were detected: cadmium and nickel in monitoring well BW-4.

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 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.

The statistically significant changes for cadmium and nickel in monitoring well BW-4 were likely due to an error in sampling, analysis or statistical evaluation, and not as a result of impact from the landfill. Monitoring well BW-4 was initially sampled on February 1, 2007.

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

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 12, 2007 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well BW-4.

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 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 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. It 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 the 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 request 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 Mike Reiser of Ohio EPA, NWDO at 419-373-3126.

Sincerely,

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

cc: Mike Reiser, DSIWM-NWDO
Ken Brock, DDAGW, NWDO, 5-7083
Scott Hester, DSIWM-CO
Bill Petruzzi, Hull & Associates