



State of Ohio Environmental Protection Agency

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Mr. Michael R. Mackenzie
Superintendent of Solid Waste
Technical Operations
City of St. Marys
101 East Spring Street
St. Marys, Ohio 45885

**Re: St. Marys Landfill, Auglaize County
OAC Rule 3745-27-10(D)(7)(c)(ii), Decline to Approve**

Dear Mr. Mackenzie:

On August 5, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a report titled "Supplemental Alternate Source Demonstration for the St. Marys Landfill" (Report), dated August 4, 2004, that contained ground water sampling results for the St. Marys Landfill located in Auglaize County.

The Report served as notification that statistically significant increases had occurred for chloride at monitoring wells BW-5 and BW-6 and also as the City of St. Marys' request to keep these monitoring wells in the detection monitoring program pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii).

OAC Rule 3745-27-10(D)(7)(c)(ii) states, in part, that the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination or that the statistically significant increase over background 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 the director or his authorized representative.

Based on the information contained in the Report, the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant increases in chloride at monitoring wells BW-5 and BW-6 were not a result of the landfill. Therefore, at this time, I decline to grant approval to continue ground water detection monitoring for chloride at monitoring wells BW-5 and BW-6.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

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A detailed account of Ohio EPA's review of the Report will be sent to you under separate cover. If you have any questions concerning this document, you may contact Ben Smith of Ohio EPA, NWDO at (419) 373-3062.

Sincerely,

Christopher Jones
Director

CJ/MM/sw

pc: Ray Minarovic, Hull & Associates, Inc.
Randy Skrzyniecki, NWDO-DDAGW
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