



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, Ohio 43216-1049

Mr. Robert Kappler
City of Brooklyn
Director of Public Service
7619 Memphis Avenue
Brooklyn, OH 44144

**RE: CITY OF BROOKLYN SANITARY LANDFILL, CUYAHOGA COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(E)(9)(a) Approval**

Dear Mr. Kappler:

In a report dated July 15, 2004, the City of Brooklyn submitted to the Ohio Environmental Protection Agency (Ohio EPA) a request to reinstate ground water monitoring well MW-6 back into the detection monitoring program at the City of Brooklyn Sanitary Landfill (Facility) located in Cuyahoga County.

Ohio Administrative Code Rule 3745-27-10(E)(9)(a) specifies that the director can approve reinstatement of the detection monitoring program if the owner or operator determines that the concentrations of all waste-derived constituents are at or below background values for two consecutive sampling events.

The July 15, 2004 report concludes that all waste-derived constituents were at, or below, background values at monitoring well MW-6 during consecutive sampling events. Pursuant to OAC Rule 3745-27-10(E)(9)(a), I hereby approve the reinstatement of monitoring well MW-6 back into the detection monitoring program

Should future or existing ground water sampling results indicate statistically significant differences in ground water monitoring parameters, the Facility will be required to either enter the assessment monitoring program in accordance with OAC 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Facility from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act or the Comprehensive Environmental Response, Compensation, and Liability Acts; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed 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 letter, please contact Katharina Snyder, Ohio EPA, Northeast District Office at (330) 963-1257.

Sincerely,

Joseph P. Koncelik
Director

JPK/KS/KM/sw

cc: Matt Johnson, Cuyahoga County Health Department
Doug Dobransky, NEDO-DDAGW
Lynn Sowers, NEDO-DSIWM