



State of Ohio Environmental Protection Agency

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Huron County Commissioners
180 Milan Avenue
Norwalk, Ohio 44857

**Re: Huron County Landfill, Huron County
OAC Rule 3745-27-10(E)(9)(b) Refuse to Grant Reinstatement**

Dear Commissioners:

On December 1, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a request submitted by Malcolm Pirnie, Inc. on behalf of the Huron County Commissioners to reinstate ground water monitoring well MW-20 to the ground water detection monitoring program at the Huron County Landfill (Facility).

Monitoring well MW-20 is in the ground water quality assessment monitoring program due to statistically significant increases in barium. The owner/operator conducted an investigation in order to provide a demonstration according to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b).

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. If Ohio EPA concurs with the demonstration, then the ground water monitoring well can be reinstated to the detection monitoring program.

The Facility's December 1, 2004, request contends that the landfill is not the source of the statistically significant increases in barium. Ohio EPA has reviewed the applicable information, and we have determined that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant increases in barium at well MW-20 were not the result of impact from the Facility. Therefore, at this time, I refuse to grant approval to reinstate ground water monitoring well MW-20 to the ground water detection monitoring program at the Facility. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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

Huron County Commissioners
Page 2 of 2

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 Ohio Revised Code (ORC) 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 thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days of filing 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

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

If you have any questions concerning this document, please contact Mary Ann Miller of Ohio EPA, NWDO at (419) 373-3060.

Sincerely,

Joseph P. Koncelik
Director

JPK/MM/sw

cc: Mr. Peter Welch, Huron County Landfill Manager
Mr. Wes Rhiel, Malcolm Pirnie, Inc.
Ms. Mary Ann Miller, DSIWM-NWDO
Mr. Jack Leow, DDAGW-NWDO 5-4815
File: NWDO, Huron County, Huron County Landfill, Authorizing Documents