



State of Ohio Environmental Protection Agency

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

Ashland County Commissioners
Ashland County Courthouse
110 Cottage Street
Ashland, Ohio 44805

Re: Ashland County Landfill, Ashland County
Ohio Administrative Code Rule 3745-27-10(E)(9)(b) authorization

Dear Commissioners:

On November 10, 2003, Hull & Associates, Inc. submitted to the Ohio Environmental Protection Agency (Ohio EPA) a request, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii), documenting that the statistically significant increase of sodium in monitoring well SW-3 is not the result of impact from the Ashland County Landfill. Due to the amount of time that has elapsed since this document was submitted, Ohio EPA is reviewing the request under 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 facility caused the contamination, or the increase resulted from error during sampling, analysis, or statistical evaluation, or natural variation in the groundwater. The November 10, 2003 demonstration concluded that the statistically significant increase of sodium in well SW-3 was due to a source other than the landfill. Ohio EPA concurs with this demonstration and approves reinstatement of the detection monitoring program for monitoring well SW-3 in accordance with OAC Rule 3745-27-10(E)(9)(b). A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

Should future or existing ground water sampling results indicate statistically significant increases in ground water quality for any parameters, the facility owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E), or obtain similar approval to remain in detection monitoring.

You are hereby notified that this action of the director 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 ground upon which the appeal is based. The appeal shall be filed with the Commission within 30 days after notice of the action. Notice of the filing of the appeal shall be filed with the director of environmental protection within three (3) days after the appeal is filed with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

Ashland County Commissioners
Page 2 of 2

Environmental Review Appeals Commission
309 South Fourth Street
Suite 222
Columbus, Ohio 43215

If you have any questions concerning this document, you may contact Mary Ann Miller at the Ohio EPA, Northwest District Office, at (419) 373-3060.

Sincerely,

Shannon Nabors, Chief
Northwest District Office for
Joseph P. Koncelik, Director

pc: Ashland County Health Department
William Petruzzi, Hull & Associates, Inc.
Mike Beal, Ohio EPA, DDAGW-NWDO, 4-3733
Mary Ann Miller, Ohio EPA, DSIWM-NWDO