



State of Ohio Environmental Protection Agency

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Athens County Commissioners  
Athens County Courthouse  
Court Street  
Athens, OH 45701

**RE: Athens County, Athens County 691 Landfill  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) Approval**

Dear Commissioners:

On April 22, 2005, the Southeast District Office (SEDO) of the Ohio Environmental Protection Agency (Ohio EPA) received a report from Malcolm Pirnie, Inc. on behalf of the Athens County Commissioners and the Athens County 691 Landfill, titled "*Monitoring Wells MW-5 and MW-3A Request for Demonstration of a False Positive.*" The report included data for the most recent sampling event that indicated a statistically significant increase of ammonia in the Lower Freeport monitoring well MW-5 and for sodium in monitoring well MW-3A.

In accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(b), the Athens County Commissioners, notified the director of the significant change from background values within the required seventy-five days of withdrawing the sample.

Within the report, the Athens County Commissioners, included a demonstration which concluded that both statistically significant increases (for ammonia in well MW-5 and sodium in well MW-3A) were the result of false statistical positive determinations due to natural variation in groundwater.

The demonstration was reviewed by the Division of Drinking and Ground Waters (DDAGW) and the Division of Solid and Infectious Waste Management (DSIWM). Upon review, the data submitted adequately supports the Athens County Commissioner's, conclusion for the statistically significant increase.

Based on the demonstration provided, the statistically significant increase for ammonia in monitoring well MW-5 and sodium in monitoring well MW-3A reported in the most recent ground water statistics report appears to be a false statistical positive. Therefore, Ohio EPA approves continuation of the detection monitoring program in accordance with OAC 3745-27-10(D)(7)(c) for the parameters and wells specified above.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters at any of the detection monitoring wells, the

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

ATHENS COUNTY  
691 LANDFILL  
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owner/operator must either enter them into assessment monitoring in accordance with OAC 3745-27-10(E) or obtain an approval to remain in the detection monitoring program.

You are hereby notified that this action of the director of the Ohio EPA is final and may be appealed to the Environmental Review Appeals Commission (ERAC) 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. It must be filed with ERAC within 30 days after notice of the director's action. A copy of the appeal must be served on the director within three days of filing with ERAC. An appeal may be filed with ERAC at the following address:

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

If you have any questions, please feel free to contact Joe Holland in the Division of Solid and Infectious Waste Management at (740) 380-5439.

Sincerely,

Steven C. Skinner, P.E., Chief  
Southeast District Office  
for Joseph P. Koncelik, Director

SCS/JH/cb

cc: Athens County Health Department  
Scott Hester, DSIWM, CO  
Joe Holland, DSIWM, SEDO  
Mike Preston, DDAGW, SEDO