



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Steve Luebbe, P.E., P.S.  
Fayette County Engineer  
Fayette County Engineer's Office  
1600 Robinson Road  
Washington Courthouse, Ohio 43160

**Re: Fayette County Landfill, Fayette County  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Luebbe:

On July 15, 2005, the May 2005 Sampling and Analysis Report was sent to the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Central District Office (CDO) for the Fayette County Landfill located in Fayette County. This document was submitted by Michael Leone of Burgess & Niple, Ltd. on behalf of the Fayette County Commissioners, and contains the ground water sampling results and the statistical analysis from the May 2005 ground water sampling event for the Landfill.

According to the document, analysis of the ground water detection monitoring data indicated the following statistically significant change for arsenic in monitoring well B-401. Verification sampling was performed on June 28, 2005, and the re-sampling data verified the statistically significant changes for arsenic in monitoring well B-401.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), 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 natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

Monitoring well B-401 was redeveloped and sampled on July 29, 2005. The arsenic result was less than the nonparametric prediction limit of 64 ug/L, concluding that the statistically significant change for arsenic at monitoring well B-401 was due to turbidity in the well prior to redeveloping, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration

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

Steve Luebbe, PE,PS  
Fayette County Engineers Office  
Page 2 of 2

included in the August 18, 2005 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well B-401.

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

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 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 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 after 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

If you have any questions concerning this letter, please contact Laura Parkinson of Ohio EPA, CDO at (614)728-3889.

Sincerely,

Mr. Craig Butler, Chief  
Central District Office  
for Joseph P. Koncelik, Director

cc: Duane Snyder, DSIWM-CDO  
Scott Hester, DSWIM-CO  
Mr. Rick Garrison, Fayette Co. Health Dept.