



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

Kilbarger Construction, Inc.
Attn: Edward Kilbarger, Owner
P.O. Box 946
Logan, Ohio 43138

**Subject: Athens County, Athens-Hocking Reclamation Center Landfill
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) Approval**

Dear Mr. Kilbarger:

On February 27, 2006, the Southeast District Office (SEDO) of the Ohio Environmental Protection Agency (Ohio EPA) received a report from The Mark James Corporation on behalf of the Athens-Hocking Reclamation Center Landfill, titled *Statistical Analysis of Groundwater Quality, December 2005 Semiannual Detection Monitoring Event*. The report included data for the December 2005 sampling event. A statistically significant increase was identified within the report: chloride in monitoring well KW-21C.

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

Within the report, Athens-Hocking Reclamation Center Landfill, included a demonstration which concluded that the statistically significant increase for chloride in well KW-21C was the result of a false statistical positive determination 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 Athens-Hocking Reclamation Center Landfill's, conclusion for the statistically significant increases.

Based on the demonstration provided, the statistically significant increase for chloride in monitoring well KW -21C reported in the 2005 second semiannual 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 parameter and well specified above.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

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 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/JPK/jg

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