



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Wilmington City Mayor and Council  
Attn: Mayor David Raizk  
69 N. South Street  
Wilmington, Ohio 45177

**Re: Wilmington Landfill, Clinton County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Raizk:

On March 28, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "Request to Remain in Detection Monitoring for Lead in MW P-8S for the Wilmington Sanitary Landfill," dated March 27, 2006, for the Wilmington Sanitary Landfill (Facility) located in Clinton County. This document was submitted by Hull & Associates, Inc., on behalf of City of Wilmington, pursuant to OAC Rule 3745-27-10(E)(9)(b), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for lead in monitoring well P-8S during the September 2005 ground water sampling event at the Facility.

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 and request that the director approve reinstatement of the detection monitoring program.

The March 28, 2006 document concluded that the statistically significant changes for lead at monitoring wells P-8S were due to an error in statistical evaluation, and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well P-8S.

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

Mayor David Razik  
City of Wilmington  
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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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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 Maria Lammers of Ohio EPA, SWDO at 937-285-6046.

Sincerely,

Thomas A. Winston, P.E., Chief  
Southwest District Office  
for Joseph P. Koncelik, Director

cc: Tracy Buchanan, DSIWM-SWDO  
Scott Hester, DSWIM-CO  
Don Maher, Wilmington Landfill  
Matt Johannes, Clinton County Health Department