



State of Ohio Environmental Protection Agency

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Mr. Tony Furgiuele
Republic Services, Inc.
5131 Drinkle Road
Amanda, Ohio 43102

**RE: FAIRFIELD SANITARY LANDFILL, FAIRFIELD COUNTY
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Furgiuele:

On April 27, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid & Infectious Waste Management (DSIWM), Central District Office (CDO) received a document titled *Verification Resampling & OAC 3745-27-10(D)(7)(c) Demonstration...*, for the Fairfield Sanitary Landfill (Facility) located in Fairfield County. This document was submitted by Lisabeth Brown, Eagon & Associates, Inc., on behalf of Republic Services, Inc., 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. The assessment monitoring program was to be implemented due to the detection of statistically significant changes for cyanide in Well 317, toluene, benzene, ethylbenzene and total xylenes in Well 324, and acetone, 1,1-dichloroethane, cis-1,2-dichloroethene, trans-1,2-dichloroethene, trichloroethene and sodium in well 325R during the October 2005, sampling event at the Facility.

Verification sampling was performed on December 27, 2005, February 7, 2006, and March 27, 2006. Analysis of the resampling data demonstrated that the statistically significant changes for cyanide in Well 317, benzene, ethylbenzene and total xylenes in Well 324, and acetone, 1,1-dichloroethane, cis-1,2-dichloroethene, trans-1,2-dichloroethene, and trichloroethene in Well 325R were false positives. Therefore, monitoring wells 317, 324 and 325R were automatically returned to the respective monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c)(i). Ohio EPA acknowledges the return of these wells to their respective monitoring program for those parameters listed above. However, the re-sampling data verified the statistically significant changes for toluene in monitoring well 324 and sodium in monitoring well 325R.

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

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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 natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program.

The April 26, 2006, document concluded that the statistically significant changes for Toluene at monitoring well 324 was due to either field or laboratory contamination and not a result of impact from the landfill. The statistically significant change for sodium in well 325R was due to a source other than the landfill and not the result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the April 26, 2006, document. 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 wells 324 and 325R.

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 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

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

Sincerely,

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

cc: Duane Snyder, DSIWM-CDO
Scott Hester, DSIWM-CO
Jennifer Valentine, Fairfield Department of Health
Lisabeth Brown, Eagon & Associates