



State of Ohio Environmental Protection Agency

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P.O. Box 1049
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July 20, 2006

Wood County Board of Commissioners
One Courthouse Square
Bowling Green, Ohio 43402

**Re: Wood County Landfill, Wood County
OAC Rule 3745-27-10(D)(7)(c)(ii), Refuse To Grant Authorization**

Dear Commissioners:

On April 28, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO), received a document dated April 2006 regarding the ground water monitoring program at the Wood County Landfill (Facility), located in Wood County.

The submittal represented the owner or operator's demonstration in accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) that the statistically significant increase of chloride at ground water monitoring well IP-1 was not the result of impact from the landfill and included a request to continue detection monitoring at this well.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the facility caused the contamination, or the increase resulted from error in sampling, analysis, or evaluation, or natural variation in ground water quality.

The owner or operator has not provided sufficient evidence to demonstrate that the increase in chloride was from a source other than the landfill. Therefore, I refuse to grant approval to continue ground water detection monitoring for well IP-1.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

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

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

If you have any questions concerning this letter, please contact Kimberly Burnham of Ohio EPA, NWDO at (419) 373-3049.

Sincerely,

Joseph P. Koncelik
Director

JPK/KB/MG/sw

pc: Jim Konopinski, Wood County Health Department
William Petruzzi, Hull & Associates, Inc
Ken Reiman, Wood County Solid Waste Management District
Scott Hester, DSIWM, CO
Kimberly Burnham, DSIWM, NWDO
Ken Brock, DDAGW, NWDO
Jack Leow, DDAGW, NWDO