



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

Defiance County Commissioners
Defiance County Landfill
500 Court Street
Defiance, OH 43512

**Re: Defiance County Landfill, Defiance County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(8)(f)(i) Approval**

Dear Commissioners:

On June 12, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled *June 2006 Compliance Monitoring Plan* for the Defiance County Landfill (Facility) located in Defiance County. The document was submitted by Eagon & Associates, Inc. on behalf of the Defiance County Commissioners, and contains a request for approval from the Director of Ohio EPA (Director) pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(8)(f)(i).

OAC Rule 3745-27-10(E)(8)(f)(i) states:

For contaminants determined to have been released to the ground water in accordance with paragraph (E)(6) of this rule, sample and analyze the monitoring wells designated under paragraph (E)(8)(a) of this rule at least eight times during the initial year of compliance monitoring to establish background unless otherwise approved by the director. Statistical analysis shall commence with the first semiannual sampling event following completion of collecting the background samples.

Monitoring wells MW-11 and MW-15A were placed in the assessment monitoring program in September 2000 due to statistically significant concentrations of ammonia and chloride. Monitoring well MW-32A was recently installed in 2005 and was placed in the assessment monitoring program in May 2006 to monitor the ground water downgradient of wells MW-11 and MW-15A.

While in the assessment monitoring program, samples were withdrawn from wells MW-11 and MW-15A and analyzed for ammonia and chloride during sampling events between

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

2000 and June 2006. Additionally, samples were withdrawn from well MW-32A and analyzed for ammonia and chloride during the November 10, 2005; February 21, 2006; and March 6-8, 2006, sampling events.

Wells MW-11, MW-15A, and MW-32A entered compliance monitoring in June 2006 and are in the initial year of compliance monitoring. Background ground water quality must be established in accordance with OAC Rule 3745-27-10(E)(8)(f)(i). The Defiance County Commissioners requested that the results from the aforementioned sampling events, which were conducted prior to the initial year of compliance monitoring, be used in establishing background for statistical analysis in accordance with OAC Rule 3745-27-10(E)(8)(f)(i). Specifically, the Defiance County Commissioners are requesting approval for the use of the following as part of establishing statistical background for compliance monitoring:

- The ammonia and chloride results from wells MW-11 and MW-15A obtained between 2000 and June 2006;
- The ammonia results from well MW-32A obtained during the February 21, 2006, and March 7, 2006, sampling events; and
- The chloride results from well MW-32A obtained during the November 10, 2005, and March 7, 2006, sampling events.

Ohio EPA has reviewed the applicable information and, pursuant to OAC Rule 3745-27-10(E)(8)(f)(i), the Defiance County Commissioners are hereby authorized to use the ammonia and chloride results referenced above in order to establish background for compliance monitoring wells MW-11, MW-15A, and MW-32A at the Defiance County Landfill.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (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:

Defiance County Commissioners
OAC Rule 3745-27-10(E)(8)(f)(i) Approval
Page 3 of 3

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

If you have any questions concerning this document, please contact Mike Reiser of Ohio EPA, NWDO at (419) 373-3126.

Sincerely,

Joseph P. Koncelik
Director

JPK/MR/JS/sw

cc: Scott Hester, DSIWM-CO
Mike Reiser, DSIWM-NWDO
Ken Brock, DDAGW-NWDO, ID #6139
Beth Brown, Eagon & Associates, Inc.