



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

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

**Re: Wood County Landfill, Wood County
OAC Rule 3745-27-10(E)(9)(b) Refuse To Grant Reinstatement**

Dear Commissioners:

On October 20, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO), received a document titled "Assessment Report of Groundwater Quality," dated October 2006, for the Wood County Landfill (Facility), located in Wood County. This document was submitted by Hull & Associates, Inc., on behalf of the Wood County Board of Commissioners, and contains a request, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b), to reinstate ground water detection monitoring for a specific well at the Facility, and to release the owner or operator from the obligation to comply with the ground water quality assessment program implemented due to statistically significant changes for chloride in monitoring well IP-1.

Pursuant to OAC Rule 3745-27-10(D)(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.

Ohio EPA has reviewed the October 2006 document and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the increase in chloride at monitoring well IP-1 was not the result of impact from the Facility. Therefore, I refuse to grant approval to reinstate ground water detection monitoring at monitoring well IP-1. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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 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. 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:

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

Laura H. Powell
Acting Director

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