



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

October 15, 2007

Mr. Thomas Hitchcock
Director of Public Service and Safety
City of St. Marys
101 East Spring Street
St. Marys, Ohio 45885

**Re: Closed St. Marys Landfill, Auglaize County
Response to Request for Reinstatement of Detection Monitoring Pursuant
to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b)**

Dear Mr. Hitchcock:

On July 12, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Alternate Source Demonstration for Statistical Significances for Cadmium and Nickel in Monitoring Well BW-4 and for Chloride in Monitoring Wells BW-5 and BW-6 at the St. Marys Landfill" dated June 28, 2007, for the St. Marys Landfill (Facility) located in Auglaize County. This document was submitted by Hull & Associates, Inc. on behalf of the owner/operator, pursuant to OAC Rule 3745-27-10(E)(9)(b), for reinstatement of the detection monitoring program at the St. Marys Landfill.

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 July 12, 2007, document concluded that the statistically significant changes for chloride at monitoring wells BW-5 and BW-6 were due to an error in sampling, analysis, or statistical evaluation during the February 2, 2007, sampling event, and were not a result of impact from the landfill. Ohio EPA has reviewed the applicable information and has determined that you have not demonstrated that the statistically significant changes in chloride are not a result of impact from the Facility. Therefore, I cannot approve your request to reinstate ground water detection monitoring at monitoring wells BW-5 and BW-6. Accordingly, the owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Mr. Thomas Hitchcock
St. Marys Landfill
Page 2 of 2

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

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. 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

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

Sincerely,

Chris Korleski
Director

cc: Scott Hester, DSIWM, CO
Ken Brock, DDAGW, NWDO, #5-7083
Jack Leow, DDAGW, NWDO
Mike Reiser, DSIWM, NWDO
Bill Petruzzi, Hull & Associates, Inc.