



State of Ohio Environmental Protection Agency

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

Mr. Rick Kostelnick
County Environmental of Wyandot
11164 County Highway 4
Carey, Ohio 43316-9750

**Re: County Environmental of Wyandot Landfill, Wyandot County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Kostelnick:

On May 30, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "(D)(7)(c)(ii) Demonstration for BW-1, BW-2, BW-4, RW-11 and RW-12" dated May 29, 2008 for the County Environmental of Wyandot Landfill (Facility) located in Wyandot County. The document was submitted by Eagon and Associates, on behalf of the owner/operator of the Facility. The document contains the ground water sampling results and the statistical analysis for samples collected during the December 3, through December 5, 2007 sampling event, and the January 24, February 6, and April 7, 2008 resampling events. Since the time limits in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) were exceeded, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

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 May 29, 2008 document concluded that the statistically significant changes for copper at well BW-1, chromium at well BW-4, ammonia at RW-11, and chloride at RW-12 were due to natural variation in ground water quality, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the May 29, 2008 document for BW-1, BW-4, RW-11, and RW-12. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells BW-1, BW-4, RW-11, and RW-12. The demonstration for BW-2 will be addressed by a separate letter.

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 the

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Lee Fisher, Lieutenant Governor
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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 the ground water quality assessment monitoring program 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.

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

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:

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

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at 419-373-3078.

Sincerely,

Shannon Nabors, Chief
Northwest District Office
for Chris Korleski, Director

cc: Jeff Richey, Wyandot County Health Department
Tom Jenkins, Eagon and Associates
Joe Montello, Allied Waste
Scott Hester, DSIWM-CO
Tyler Madeker, DSIWM-NWDO
Mike Reiser, DSIWM-NWDO
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