



State of Ohio Environmental Protection Agency

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

**Re: St. Marys Landfill, Auglaize County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Hitchcock:

On July 10, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled *“Request to the Director and Report of Alternate Source Demonstration to Reinstate Monitoring Wells BW-5 and BW-6 into the Detection Monitoring program at the St. Marys Landfill; STM608.100.0008.DOC”* dated July 2, 2008 for the St. Marys Landfill (Facility) located in Auglaize County. The document was submitted by Hull & 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 January 13, 2004 sampling event, and the February 24, 2004 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 July 2, 2008 document concluded that the statistically significant changes for chloride at wells BW-5 and BW-6 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 that the statistically significant changes were not a result of the landfill. Ohio EPA concluded from the information included in the July 2, 2008 document that the statistically significant changes were the result of impacts caused by field or laboratory procedures and not by the landfill or natural variability. 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-5 and BW-6.

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).

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

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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 Brent M. Goetz of Ohio EPA, NWDO at 419-373-4114.

Sincerely,

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

cc: James Lavrich, Hull & Associates, Inc.  
Todd Flagle, City of St. Marys  
Scott Hester, DSIWM-CO  
Brent M. Goetz, DSIWM-NWDO  
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