



State of Ohio Environmental Protection Agency

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P.O. Box 1049  
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March 10, 2009

Ashland County Commissioners  
Ashland County Courthouse  
110 Cottage Street  
Ashland, Ohio 44805

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

Dear Commissioners:

On November 28, 2008, 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 Monitoring Wells SW-3 and BW-9*", dated November 26, 2008, for the Ashland County Landfill (Facility), located in Vermillion Township, Ashland County, Ohio. This document was submitted by Hull and Associates, Inc. (HAI) on behalf of the owner/operator, pursuant to OAC Rule 3745-27-10(E)(9)(b), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for sodium, chloride, and ammonia nitrogen at monitoring well SW-3, and chloride, barium, and ammonia nitrogen at monitoring well BW-9 during the March 6, 2007, ground water sampling event at the Facility.

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 November 26, 2008, document concluded that the statistically significant changes for sodium, chloride, and ammonia nitrogen at monitoring well SW-3, and chloride, barium, and ammonia nitrogen at monitoring well BW-9 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 November 26, 2008, document. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at

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

the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring wells SW-3 and BW-9.

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.

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 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

pc: Ashland County Health Department  
William Petruzzi, Hull & Associates, Inc.  
Dale McLane, DDAGW-NWDO  
Jack Leow, DDAGW-NWDO  
Mike Reiser, DSIWM-NWDO