



State of Ohio Environmental Protection Agency

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June 1, 2009

Mr. John Logsdon
Port Clinton Landfill, Inc.
530 North Camp Road
Port Clinton, Ohio 43452

**Re: Port Clinton Landfill, Ottawa County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b)
Response to Request to Reinstate Detection Monitoring**

Dear Mr. Logsdon:

On April 20, 2009, 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 Reinstate Detection Monitoring for Monitoring Well MW-23," dated April 17, 2009, for the Port Clinton Landfill (Facility) located in Ottawa County. This document was submitted by Civil & Environmental Consultants, Inc. on behalf of the owner/operator and included a request pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) to reinstate the ground water detection monitoring program for a specific monitoring well at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program. The ground water assessment program was implemented in December 2004 due to the detection of a statistically significant change for chloride in monitoring well MW-23. Subsequently, MW-23 has also exhibited statistically significant increases of ammonia and sodium.

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 of Ohio EPA (Director) approve reinstatement of the detection monitoring program.

Ohio EPA has reviewed the April 17, 2009, document and has determined that the owner/ operator has not provided sufficient evidence to demonstrate that the increases in ammonia, chloride, and sodium at monitoring well MW-23 are not the result of impact from the Facility. Therefore, I cannot approve reinstatement of ground water detection monitoring at monitoring well MW-23. The owner/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. Alvie Green
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A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you in separate correspondence.

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 Kimberly Burnham of Ohio EPA, NWDO at (419) 373-3049.

Sincerely,

Chris Korleski
Director

cc: Jim Adams, Republic Services, Inc.
Joe Montello, Republic Services, Inc.
Dave Vossmer, Republic Services, Inc.
Matt Barnett, Civil & Environmental Consultants, Inc.
Ken Brock, DDAGW, NWDO
Scott Hester, DSIWM, CO
Mike Reiser, DSIWM, NWDO