



State of Ohio Environmental Protection Agency

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June 10, 2009

Mr. Dana M. Sheets, P.E.  
Waste Management Section  
American Electric Power  
1 Riverside Plaza  
Columbus, Ohio 43215-2373

**RE: AEP Gavin, Gallia County  
Request for Reinstatement of Detection Monitoring Per OAC Rule 3745-30-08(D)(13)**

Dear Mr. Sheets:

On March 2, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southeast District Office (SEDO), received a document titled, "Well 9801 Assessment Report." The Gavin Residual Waste Landfill (facility) is located in Gallia County. This document was submitted by American Electric Power (AEP) and requested reinstatement of the ground water detection monitoring program for Well 9801 in accordance with Ohio Administrative Code (OAC) Rule 3745-30-08(D)(13). Currently, the facility is conducting assessment monitoring at Well 9801 for potassium.

AEP is conducting both detection and assessment monitoring per OAC Rule 3745-30-08 at the facility. The submittal has been reviewed to determine if the request meets the requirements of rule OAC 3745-30-08(D)(13) to return the facility to detection monitoring.

OAC Rule 3745-30-08(D)(13) states, in part, that the owner or operator may determine, based on the results of sampling, that there has not been an increase above back-ground levels of waste-derived constituents at any monitoring well downgradient of the facility and request reinstatement of the detection monitoring program.

Based on the results of additional sampling and nine consecutive samples below the statistical trigger limit 13.6 mg/l of potassium, the operator has determined that there has not been an increase above background levels in waste-derived constituents in samples from Well 9801. The Ohio EPA agrees with this conclusion and supports the request to reinstate detection monitoring at Well 9801, in accordance with OAC Rule 3745-30-08(D)(13). Therefore, pursuant to OAC Rule 3745-30-08(D)(13), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring well in the ground water quality assessment monitoring program, noted

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

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above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the facility. This approval of reinstatement of the detection monitoring program applies to monitoring well 9801.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-30-08(E) or obtain an approval to remain in the detection monitoring program.

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 Environmental Protection (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 concerning this document, please contact the Ohio Environmental Protection Agency at (740) 385-8501.

Sincerely,

Craig Butler  
Chief, Southeast District Office  
for Chris Korleski, Director

cc: Barb Bradley, Gallia County Health District  
Jane Jacobs, DDAGW, SEDO  
Martin Broderick, Leading Creek Conservancy District