



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

MAILING ADDRESS:

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

June 29, 2009

Erie County Board of Commissioners  
2900 South Columbus Avenue  
Sandusky, Ohio 44870

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

Dear Board of Commissioners:

On June 2, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), received a document titled "Alternate Source Demonstration for Ammonia at Monitoring Well MW-18D and Request to Reinstate the Groundwater Detection Monitoring Program" dated June 1, 2009, for the Erie County Closed Landfill (Facility) located in Erie County, Ohio. This document was submitted by Mannik and Smith Group, on behalf of Erie County Board of Commissioners, and request 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 ammonia in monitoring well MW18D during the Spring 2008 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 June 1, 2009, document concluded that the statistically significant changes for ammonia at monitoring well MW18D were due to natural variability of the ground water quality, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with this conclusion. 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 noted above, and release the owner or operator from the obligation to comply with the assessment monitoring requirements for these wells at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well MW18D.

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

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 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 Susan Hardy of Ohio EPA, DSIWM, NWDO at 419-373-3043.

Sincerely,

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

pc: Fred Dubbert, Erie County Landfill  
Bob Sennish, Erie County Landfill  
David Miller, Erie County Coordinator  
Jack Meyers, Erie County Sanitary Engineer  
James Moseley, Mannik and Smith Group

Lindsay Taliaferro, III, DDAGW, CO  
Jack Leow, DDAGW, NWDO  
Mike Reiser, DSIWM, NWDO  
Ned O'Loughlin, DSIWM, NWDO  
Susan Hardy, DSIWM, NWDO