



State of Ohio Environmental Protection Agency

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Mr. Randy Traub
County Environmental of Wyandot
11164 County Highway 4
Carey, Ohio 43316-9750

**Re: County Environmental of Wyandot Landfill, Wyandot County, Ohio
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval and Response to
Request**

Dear Mr. Traub:

On January 26, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled *“Statistical Analysis Program for Ground-water Quality Monitoring”*, dated January 23, 2009, for the County Environmental of Wyandot Landfill (Facility). This document was submitted by Eagon & Associates, Inc. on behalf of Allied Waste (owner/operator). The submittal contained a request to add previously-determined statistically significant increases to the background database pursuant to OAC Rule 3745-27-10(C)(7)(g). In response to Ohio EPA’s request for additional information, a subsequent document titled *“Response to Ohio EPA Comment Dated April 7, 2009 County Environmental of Wyandot Landfill, Wyandot County”*, dated May 21, 2009, was submitted to and received by Ohio EPA on May 27, 2009. The data associated with the request includes: copper at wells BW-1, BW-4, and RW-11; ammonia at wells RW-10 and RW-11; lead at well BW-1; chromium at well BW-4; nickel at well BW-4; potassium at well RW-10; and sodium at well RW-11.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

Ohio EPA has reviewed the information provided and concurs that this data, with the exception of copper concentrations at BW-1 detected in samples obtained on February 8 and December 4, 2007, can be added to the background data group.

Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner/operator is hereby authorized to update the background database for copper at wells BW-1 (with the exception of February 8 and December 4, 2007, copper concentrations), BW-4, and RW-11, ammonia at wells RW-10 and RW-11, lead at well BW-1, chromium at well BW-4, nickel at well BW-4, potassium at well RW-10, and sodium at well RW-11.

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

With respect to copper concentrations at BW-1 detected in samples obtained on February 8 and December 4, 2007, Ohio EPA has determined that the owner/operator has not adequately demonstrated that the statistically significant concentration is representative of natural variability in groundwater quality that has not been affected by past or present operations at the Facility. Therefore, I do not deem acceptable the request, pursuant to OAC Rule 3745-27-10(C)(7)(g), to update the background database with the copper concentrations at BW-1 detected in samples obtained on February 8 and December 4, 2007, as detailed in the January 23, 2009, and May 21, 2009, documents.

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

Sincerely,

Chris Korleski
Director

pc: Jeff Richey, Wyandot County Health Department
Tom Jenkins, Eagon & Associates, Inc.
Joe Montello, Allied Waste
Brent M. Goetz, DSIWM-NWDO
Ken Brock, DDAGW-NWDO