



State of Ohio Environmental Protection Agency

OHIO E.P.A.

NOV 12 2009 MAILING ADDRESS:

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ENTERED DIRECTOR'S JOURNAL 1049
Columbus, OH 43216-1049

I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

By: Jim Lassiter Date: 11-12-09

NOV 12 2009

Ms. Joanne Mudra
Richland County Solid Waste Management District
1125 National Parkway
Mansfield, Ohio 44906

Mr. Jim DeSanto
City of Mansfield
30 North Diamond Street
Mansfield, Ohio 44902

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

Dear Ms. Mudra and Mr. DeSanto:

On February 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 "*Semi-Annual Detection, Assessment and Corrective Measures Report December, 2008 Sampling Event*" dated February 17, 2009, for the Richland County Landfill (Facility) located in Richland County. The document was submitted by EM&C, on behalf of the Richland County Solid Waste Management Authority (RSCWMA), pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii). The document contains the ground water sampling results and the statistical analyses for samples collected from December 3 through December 12, 2008. Because the time limits in OAC Rule 3745-27-10(D)(7)(c)(ii) were exceeded, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

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.

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

Ms. Joanne Mudra
Mr. Jim DeSanto
Page 2 of 3

The February 20, 2009, document concluded that the statistically significant changes for manganese at monitoring wells DMW-6, DMW-7, DMW-15, and DMW-17 were due to a natural variation in ground water quality, and were not a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant changes in manganese at monitoring wells DMW-6, DMW-7, DMW-15, and DMW-17 are not the result of impact from the Facility. Therefore, I cannot grant approval to reinstate ground water monitoring wells DMW-6, DMW-7, DMW-15, and DMW-17 back into the ground water detection monitoring program at the Facility. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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 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 Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Ms. Joanne Mudra
Mr. Jim DeSanto
Page 3 of 3

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Korleski". The signature is fluid and cursive, with the first name "Chris" being more prominent than the last name "Korleski".

Chris Korleski
Director

cc: Ms. Andrea Barnes, Richland County Health Department
Mr. Tom Anderson, EM&C
Mr. Jack Leow, DDAGW-NWDO
Mr. Mike Reiser, DSIWM-NWDO
Mr. Barry Chapman, DSIWM-CO
Ms. Andrea Smoktonowicz, DSIWM-CO

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