



State of Ohio Environmental Protection Agency

OHIO E.P.A.

Northwest District Office

JUN 24 2010

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Lee Fisher, Lieutenant Governor
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ENTERED DIRECTOR'S JOURNAL

JUN 24 2010

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.

Putnam County Commissioners
245 East Main Street, Suite 101
Ottawa, Ohio 45875

Date: 6-24-2010

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

Dear Commissioners:

On April 27, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO), received a document titled "Response to Ohio EPA Comments Dated February 9, 2010 Revised Ground-Water Detection Monitoring Plan OAC Rule 3745-27-10(D)(7)(c) Demonstration for Well 4RR", dated April 20, 2010, for the Putnam County Landfill (Facility). This document was submitted by Eagon & Associates, Inc. on behalf of the owner/operator and included a request to continue detection monitoring at specific wells at the Facility despite statistically significant increases in the data collected for those wells during the September 2009 ground water sampling event at the Facility. Since the time limits in accordance with 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 approve reinstatement of the detection monitoring program.

The April 20, 2010 document concluded that the statistically significant changes for chloride at monitoring well MW-4RR was due to an error in the procedures for statistical analysis and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs that the statistically significant changes were not a result of the landfill. Ohio EPA concluded from the information included in the April 20, 2010 document that the statistically significant changes were the result of impacts caused by an error in the procedures for statistical analysis not by the landfill. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-4RR.



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).

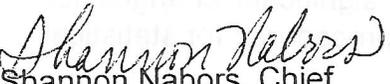
A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

You are hereby notified that this action of the Director 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, made payable to "Ohio Treasurer Kevin Boyce," 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,


Shannon Nabors, Chief

Northwest District Office
for Chris Korleski, Director
/lb

pc: Beth Brown, Eagon & Associates, Inc.
Jack Leow, DDAGW, NWDO
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id: 5-9357