



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

OHIO E.P.A.

DEC - 1 2014

ENTERED DIRECTOR'S JOURNAL

DEC 01 2014

Ashland County Commissioners  
Ashland County Courthouse  
110 Cottage Street  
Ashland, Ohio 44805

Re: Ashland County Landfill  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Ashland County  
MSWL019358

**Subject: Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Commissioners:

On September 11, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled "*OAC Rule 3745-27-10(D)(7)(c)(i) and (ii) Alternate Source Demonstrations for the Spring 2014 Statistically Significant Increases Closed Ashland County Landfill*", dated September 10, 2014, for the Ashland County Landfill (Facility), located in Vermillion Township, Ashland County, Ohio. The above referenced document was submitted by Mannik and Smith Group (MSG) on behalf of the owner/operator of Ashland County Landfill.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: lead at monitoring well BW-8, and barium at monitoring well SW-7.

The document contains the ground water sampling results and the statistical analysis for samples collected during the May 6-7, 2014, sampling event and the July 29, 2014, resampling event.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), 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 natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The September 10, 2014, document concluded that the statistically significant changes for lead at monitoring well BW-8, and barium at monitoring well SW-7 were due to an error in statistical evaluation and natural variability, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells BW-8 and SW-7.

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 Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

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

Sincerely,



Shannon Nabors, Chief  
Northwest District Office  
for Craig W. Butler, Director

/llr

pc: Pat Donaldson, Ashland County Health Department  
Matthew Barnett, The Mannik & Smith Group, Inc...  
Scott Hester, DMWM-CO  
Dale McLane, DDAGW-NWDO  
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