



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

JUN -4 2012

ENTERED DIRECTOR'S JOURNAL

June 4, 2012

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.

Hardin County Commissioners
One Courthouse Square
Suite 100
Kenton, Ohio 43326

By: Jenya Lassiter Date: 6-4-12

**Re: Hardin County Closed Landfill, Hardin County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Commissioners:

On April 18, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled "Addendum to the Fall 2011 Alternate Source Demonstration for Chloride at Uppermost Aquifer system Monitoring Well BW-4 Hardin County Landfill, Kenton, Ohio," dated April 16, 2012, for the Hardin County Closed Landfill (Facility). This document was submitted by Civil & Environmental Consultants, Inc., on behalf of the commissioners, and contains the ground water sampling results and the statistical analysis from the November 7, 2011, sampling event, January 3, 2012, confirmation resampling event, and the reanalysis of the January 3, 2012, sample conducted on January 18, 2012, at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: chloride at well BW-4.

Verification sampling was performed on January 3, 2012. The re-sampling data verified the statistically significant change for chloride at well BW-4.

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 April 16, 2012, document concluded that the statistically significant change for chloride at monitoring well BW-4 is due to a necessary rounding error in laboratory procedures and the necessary reporting to two (2) significant figures and not the result of a release from the landfill. Monitoring well BW-4 was initially sampled on November 7, 2011.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the April 16, 2012, document. 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 well BW-4.

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 assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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, 17th Floor
Columbus, Ohio 43215

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

Hardin County Commissioners
Page 3

If you have any questions concerning this letter, please contact Jeremy Scoles of Ohio EPA, NWDO at (419) 373-3079.

Sincerely,

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

Shannon Nabors, Chief
Northwest District Office
for Scott J. Nally, Director

/cg

Enclosures

pc: Jeremy Scoles, DMWM, NWDO, 5-11507
Scott Hester, DMWM, CO
Mike Smith, Hardin Co. Engineer
Tom Covrett, CEC