



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

OHIO E.P.A.

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CERTIFIED

May 6, 2013

Mr. Dan Pittman
Hoffman Road Landfill
3962 Hoffman Road
Toledo, Ohio 43611

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: Jimmy Lassiter Date: 5-6-13

**Re: Hoffman Road Landfill, Lucas County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(i) and 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Pittman:

On January 28, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO), received a document titled, "*Statistical Report of Groundwater Quality, Notification of Statistical Significance, and Alternate Source Demonstration for the City of Toledo-Hoffman Road Landfill; HRL026.100.0356*," dated January 24, 2013, for the Hoffman Road Landfill (Facility). The above referenced document was prepared by Hull and Associates, Inc. on behalf of the owner/operator of Hoffman Road Landfill.

According to the document, analysis of the ground water detection monitoring data indicated statistical significant change was detected for potassium at well MW-5A and MW-10.

The subject document also includes rationale for returning monitoring well MW-5A to the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c)(i).

Pursuant to OAC Rule 3745-27-10(D)(7)(c), 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.

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The January 28, 2013, document concluded that the statistically significant change for potassium at MW-10 was due to a source other than the sanitary landfill facility, and not as a result of impact from the landfill. The document also concluded the statistically significant change for potassium at MW-5A should be considered a false positive.

Ohio EPA has reviewed the applicable information and concurs with the demonstration for potassium at MW-10. 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 MW-10.

Ohio EPA has also reviewed the applicable information and concurs with the demonstration for potassium at MW-5A included in the January 28, 2013 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(i), the owner or operator is hereby authorized to return well MW-5A to detection monitoring.

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.

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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

If you have any questions concerning this letter, please contact Susan Hardy of Ohio EPA, NWDO at (419) 373-3043.

Sincerely,



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

SN/cg

pc: Jodi Vaughan, Toledo-Lucas County Health Department
Ed Moore, Department Of Public Services, City of Toledo
Karen Okonta, Hull & Associates, Inc.
File: DMWM/SW, Lucas County, Hoffman Road Landfill, Ground Water

ec: Mike Reiser, DMWM, NWDO
Mike Beal, DDAGW, NWDO
Ken Brock, DDAGW, NWDO
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