



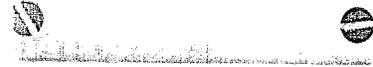
**Environmental
Protection Agency**

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

OHIO E.P.A.

MAY 29 2012

ENTERED DIRECTOR'S JOURNAL



May 29, 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.

Mr. John Jones
Sanitary Facilities Manager
Preble County Landfill
4239 U.S. Route 127 South
Eaton, Ohio 45320

By: Dorey Lassiter Date: 5-29-12

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

Dear Mr. John Jones:

On April 19, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "OAC Rule 3745-27-10(D)(7)(c)(ii) Demonstration that the Statistical Exceedance of Barium at Well R-3 for the Fall 2011 Sampling Event is not a Result of Landfill Activities at Preble County Landfill," dated April 18, 2012, for the Preble County Landfill (Facility) located in Preble County. This document was submitted by Brown and Caldwell, on behalf of the Preble County Board of Commissioners, and evaluates the ground water results and the statistical analysis. Analytical results for R-3 were provided in the *Fall 2011 Semiannual Ground Water Monitoring Report* dated January 20, 2012. Resampling results from February 2, 2012 were contained in an April 12, 2012 submittal titled, *Background Sampling Event Data for New Well R-2R*.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: barium in monitoring well R-3. 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 not later than 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 18, 2012 document concluded that the statistically significant changes for barium at monitoring well R-3 was due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well R-3 was initially sampled on November 8, 2011 and resampled on December 7, 2011 and February 2, 2012.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the April 18, 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 R-3.

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 St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Jill Olberding of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



Bonnie Buthker, District Chief
Southwest District Office
for Scott J. Nally, Director

cc: Tracy Buchanan, DMWM-SWDO
Gary Walker, Preble County Health District