



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

OHIO E.P.A.

AUG 22 2013

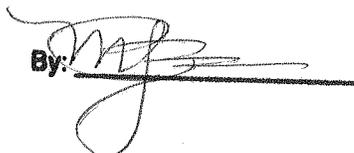
ENTERED DIRECTOR'S JOURNAL

CERTIFIED

August 22, 2013

Mr. Greg Foxhoven
Director of Public Service and Safety
City of St. Marys
101 East Spring Street
St. Marys, Ohio 45885

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:  Date: 8.22.2013

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

Dear Mr. Foxhoven:

On June 21, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) received the document titled, "Alternate Source Demonstration and Request to the Director to Reinstate Monitoring Wells BW-5 and BW-6 into the Detection Monitoring Program at the St. Marys Landfill; AUG009.100.0010," dated June 20, 2013, for the St. Marys Landfill (Facility) located in Auglaize County. This document was submitted by Hull and Associates, Inc., on behalf of the owner/operator of the St. Marys Landfill, pursuant to OAC Rule 3745-27-10(E)(9)(b), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner/operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for chloride in monitoring wells BW-5 and BW-6 during the July 7-9, 2008, ground water sampling event at the Facility.

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 June 21, 2013, document concluded that the statistically significant changes for chloride at monitoring wells BW-5 and BW-6 were due to something other than the landfill, specifically spatial variability and an error in statistical evaluation, and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion.

Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring wells BW-5 and BW-6.

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.

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 ground water demonstration will be sent to you under separate cover.

Mr. Greg Foxhoven
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If you have any questions concerning this letter, please contact Kristin Tillison of Ohio EPA, NWDO at (419) 373-3064.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Nabors".

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

SN/cg

pc: Jeremy Scoles, DMWM, NWDO
Kristin Tillison, DMWM, NWDO
Scott Hester, DMWM, CO
Jim Lavrich, Hull & Associates
5-12610