



State of Ohio Environmental Protection Agency

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FEB 12 2003

OHIO EPA
FEB 12 2003
ENTERED DIRECTOR'S JOURNAL

Mr. David Vossmer
Browning-Ferris Industries of Ohio, Inc.
530 North Camp Road
Port Clinton, Ohio 43452

**Re: Ottawa County Landfill, Ottawa County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b)
Approval (Aresenic)/(COD) at MW-32**

Dear Mr. Vossmer:

By letter dated December 19, 2002, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) received an authorization request from Civil & Environmental Consultants, Inc., pursuant to OAC Rule 3745-27-10(D)(7)(c) to continue ground water detection monitoring for arsenic and Chemical Oxygen Demand (COD) for monitoring well MW-32 at the Ottawa County Landfill (Facility).

However, since the time limits in accordance with OAC Rule 3745-27-10(D)(7)(c) were exceeded, Ohio EPA reviewed this request pursuant to OAC Rule 3745-27-10(E)(7)(b). In accordance with OAC Rule 3745-27-10(E)(1), a Ground Water Quality Assessment Monitoring Plan was implemented.

In accordance with OAC Rule 3745-27-10(E)(7)(b), the owner or operator may demonstrate that a statistically significant change in ground water monitoring parameter(s) was not a result of impact from the landfill. Upon such a determination by the Director, the Director may reinstate the ground water detection monitoring program for the affected well(s).

Based upon review of the December 19, 2002, submittal, the results demonstrate that elevated concentrations of arsenic and COD at MW-32 were not a result of impact from the landfill. Therefore, pursuant to OAC Rule 3745-27-10(E)(7)(b), Ohio EPA approves the demonstration for arsenic and COD at MW-32 and the owner/operator of the Ottawa County Landfill may reinstate ground water detection monitoring for arsenic and COD at MW-32.

Environmental Protection Agency
Zona L. Clements Feb 12, 2003

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

Should future or existing ground water sampling results indicate statistically significant changes in the ground water quality for this or other detection monitoring locations, the owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E), or obtain approval pursuant to OAC Rule 3745-27-10(D)(7)(c) to remain in detection monitoring.

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 (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. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the Director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

If you have any questions please feel free to contact Ken Brock of Ohio EPA, Northwest District Office at (419) 373-3143. Any written correspondence should be sent to the attention of Beth Skulina, Ohio EPA, NWDO-DSIWM, 347 N. Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,



Christopher Jones
Director

cc: Scott Hester, DSIWM-CO
Beth Skulina, DSIWM-NWDO
Ken Brock, DDAGW-NWDO
Jack Leow, DDAGW-NWDO
Pat Nortz, BFIO, Lorain County Landfill
Eric VanHeim, Civil Environmental Consultants
5-2821