



State of Ohio Environmental Protection Agency

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MAR 12 2303

Henry County Board of Commissioners
Henry County Courthouse
660 North Perry Road
Napoleon, Ohio 43545

OHIO E.P.A.
MAR 12 2003
ENTERED U.S. MAIL

Re: Henry County Landfill, Henry County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b) Authorization

Dear Commissioners:

On January 17, 2003, the Mannik & Smith Group, Inc. (MSG) submitted a request to the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) pursuant to OAC Rule 3745-27-10(E)(7)(b), to reinstate ground water detection monitoring at the Henry County Landfill (Facility) for sodium in monitoring well MW-13 and for benzene and carbon disulfide in monitoring well MW-22.

In accordance with OAC Rule 3745-27-10(E)(7)(b), the owner or operator may demonstrate that a source other than the 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. Upon such a determination by the director, the director may reinstate the ground water detection monitoring program as described in OAC Rule 3745-27-10(D).

The owner/operator demonstrated in the January 17, 2003, submittal that the statistically significant increases in sodium concentration at MW-13 and benzene and carbon disulfide at MW-22 were not a result of impact from the Facility.

Ohio EPA concurs with the demonstration that the statistically significant increases in the sodium concentration at MW-13 and benzene and carbon disulfide at MW-22 were not a result of impact from the Facility. Therefore, pursuant to OAC Rule 3745-27-10(E)(7)(b), I hereby approve the demonstration and the owner/operator of the Henry County Landfill may reinstate ground water detection monitoring for sodium at MW-13 and benzene and carbon disulfide at MW-22 in accordance with OAC Rule 3745-27-10(D)(7)(c).

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owner/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 ground water detection monitoring program in accordance with OAC Rule 3745-27-10(D)(7)(c).

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

*Verify this to be a true and accurate copy of the original document as filed in the records of the Ohio Environmental Protection Agency.
Maureen O'Connor, Mar 12, 03*

Henry County Landfill, Henry County
OAC Rule 3745-27-10(E)(7)(b) Authorization
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You are hereby notified that this action of the Director of Environmental Protection 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 ground 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. 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 concerning this document, please contact Mike Reiser of Ohio EPA, Northwest District Office at (419) 373-3126.

Sincerely,



Christopher Jones
Director

pc: Mr. Jon Lindsey, Henry County Health Department
Mr. Tom Covrett, MSG
Mr. Jack Leow, DDAGW, NWDO
Mr. Ken Brock,
Mr. Mike Reiser, DSIWM, NWDO

id#: 2897