



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Dave 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)(9)(b) Approval**

Dear Mr. Vossmer:

By document dated June 3, 2004, Civil & Environmental Consultants, Inc. (CEC), on behalf of the landfill, submitted to the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) a demonstration and a request to continue ground water detection monitoring for chloride at monitoring well MW-17 at the Ottawa County Landfill (Facility) located in Ottawa County. This request was made in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii). However, since it has been more than two hundred ten (210) days since the December 2003 sampling event, the owner or operator of the Facility was required to implement a ground water quality assessment plan.

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 natural variation in ground water quality. A report documenting this demonstration must be submitted to the director if the owner or operator requests that the director approve reinstatement of the detection monitoring program.

The information contained in the June 3, 2004, demonstration is based on data from the analysis of chloride in monitoring well MW-17 during the May 25, 2004, resampling event and concluded that the statistically significant change resulted from error in statistical evaluation. Ohio EPA has reviewed the applicable information, and we concur with CEC's conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of monitoring well MW-17 back into the detection monitoring program.

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

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the director of Ohio EPA is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code (ORC) 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this approval, please contact Ken Brock of Ohio EPA, NWDO at (419) 373-3143. Any written correspondence should be sent to the attention of Beth Skulina, Ohio EPA, Division of Solid and Infectious Waste Management, Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,

Christopher Jones
Director

CJ/MM/sw

cc: Scott Hester, DSIWM-CO
Beth Skulina, DSIWM-NWDO
Ken Brock, DDAGW-NWDO
Jack Leow, DDAGW-NWDO
Pat Nortz, BFIO, Lorain County Landfill
Eric Van Heim, Civil & Environmental Consultants, Inc.
5-4304