



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

Mr. Tony Furgiuele
Republic Services, Inc.
5131 Drinkle Road
Amanda, OH 43102

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

Dear Mr. Finy:

On December 15, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Central District Office (CDO), received a document titled "October 2006 Sampling Report" dated December 14, 2006, for the Fairfield Sanitary Landfill (FSLF) located in Fairfield County. This document was submitted by Ms. Lizabeth Brown of Eagon & Associates, Inc., on behalf of Republic Services, Inc. It contains the ground water sampling results and the statistical analysis from the October 2006 ground water sampling event at the FSLF.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes for ammonia were detected in monitoring wells 103 and 302. Verification sampling was performed on December 7, 2006, confirming the statistically significant ammonia results.

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 within 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 demonstration report, included in the December 14, 2006, document, concluded that the statistically significant changes for ammonia in monitoring wells 103 and 302, were due to a *change in statistical evaluation*, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the December 14, 2006, 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 FSLF for monitoring wells 103 and 302. If 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 Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Laura Parkinson of Ohio EPA, CDO at (614)728-3889

Sincerely,

Craig Butler
Chief, Central District Office
For Laura Powell, Acting Director

c: Duane Snyder, DSIWM-CDO
Scott Hester, DSWIM-CO