



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

Athens County Commissioners  
Athens County Courthouse  
15 Court Street  
Athens, Ohio 45701

**Re: Athens County 691 Landfill, Athens County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b) Approval**

Dear Commissioners:

On February 1, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southeast District Office (SEDO) received a document titled, "*Response to OEPA Comment Letter on Return to Detection Monitoring*," dated January 31, 2007, for the Athens County 691 Landfill (Facility), located in Athens County. This document was submitted by Malcolm Pirnie, Inc., on behalf of the Athens County Commissioners, pursuant to OAC Rule 3745-27-10(E)(7)(b), as effective June 1, 1994, and requested reinstatement of the ground water detection monitoring program at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for ammonia and barium in monitoring well MW-13 during the second semiannual sampling event of 2005 at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(7)(b), as effective June 1, 1994, 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 January 31, 2007 document concluded that the statistically significant changes for ammonia and barium at monitoring well MW-13 were due to natural variability in ground water quality 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)(7)(b), as effective June 1, 1994, I hereby approve reinstatement of the ground water detection monitoring program for the monitoring well 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 well MW-13.

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), as effective June 1, 1994, or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

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 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 P. Joe Holland of Ohio EPA, SEDO at (740) 380-5439.

Sincerely,

Chris Korleski,  
Director

CK/JPH/EJ/sw

cc: Steve Rine, Supervisor, DSIWM-SEDO  
Scott Hester, DSWIM-CO  
Mike Cooper, Athens County Health Department