



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

September 28, 2007

Board of Erie County Commissioners  
2900 South Columbus Avenue  
Sandusky, Ohio 44870

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

Dear County Commissioners:

On July 27, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "May 2007 Groundwater Monitoring Event and Statistical Evaluation for the Erie County Closed Landfill, Erie County," dated July 26, 2007, for the Erie County Closed Landfill (Facility) located in Erie County. This document was submitted by Brown and Caldwell on behalf of the Erie County Commissioners, and contains the ground water sampling results and the statistical analysis from the May 14-17, 2007, ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: barium in monitoring well MW-18D.

Verification sampling was performed on June 26, 2007. The re-sampling data verified the statistically significant change for barium at MW-18D.

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 July 26, 2007, document concluded that the statistically significant change for barium at monitoring well MW-18D was due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well MW-18D was initially sampled on May 14-17, 2007.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 26, 2007 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 Facility for monitoring well MW-18D.

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 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 the 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 request 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 Jeremy Scoles of Ohio EPA, NWDO at 419-373-3079.

Sincerely,

Shannon Nabors, Chief  
Northwest District Office  
for Chris Korleski, Director

cc: Jeremy Scoles, DSIWM-NWDO  
Scott Hester, DSWIM-CO  
Todd Aebie, Brown and Caldwell  
Fred Dubbert, Erie County Landfill  
Bob Sennish, Erie County Landfill  
Jack Meyers, Erie County Sanitary Engineer  
David Miller, Erie County DOES Coordinator

ec: Jack Leow, DDAGW, NWDO, 5-7106