



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

April 28, 2008

Hancock County Board of Commissioners
300 South Main Street
Findlay, Ohio 45840

**Re: Hancock County Landfill, Hancock County
Ohio Administrative (OAC) Rule 3745-27-10(E)(9)(b)
Response to Request to Grant Reinstatement**

Dear Commissioners:

On January 24, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Hancock County Sanitary Landfill – Request for Reinstatement to the Detection Monitoring Program for MW-13 and MW-14," dated January 22, 2008, for the Hancock County Landfill (Facility) located in Hancock County. This document was submitted by Malcolm Pirnie, Inc., on behalf of the Hancock County Commissioners, pursuant to OAC Rule 3745-27-10(E)(9)(b), and requested reinstatement of the ground water detection monitoring program for a specific monitoring well at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program. The assessment monitoring program was implemented due to the detection of statistically significant changes for ammonia in monitoring well MW-13 during the May 15-18, 2006, semi-annual sampling event and the August 9, 2006, confirmation ground water sampling event at the Facility. Monitoring well MW-14 was addressed in separate correspondence on March 21, 2008.

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 from natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program.

Ohio EPA has reviewed the January 22, 2008, document and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the increase in ammonia at monitoring well MW-13 was from a source other than the landfill. Therefore, I cannot approve reinstatement of ground water detection monitoring at monitoring well MW-13. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you in separate correspondence.

You are hereby notified that this action of the 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 Jeremy Scoles of Ohio EPA, NWDO at (419) 373-3079.

Sincerely,

Chris Korleski, Director

pc: Scott Hester, DSIWM, CO
Randy Skrzyniecki, DDAGW, NWDO
Jack Leow, DDAGW, NWDO
Jeremy Scoles, DSIWM, NWDO
Wesley Rhiel, Malcolm Pirnie, Inc.
Lindsay Summit, Hancock County Health Department