



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

MARCH 27, 2019

Ashland County Commissioners
Ashland County Courthouse
110 Cottage Street
Ashland, Ohio 44805

Re: Ashland County Landfill
Non-Permit Related Exemptions
Approval
Municipal Solid Waste Landfills
Ashland County
MSWL019358

**Subject: Ashland County Closed Landfill, Ashland County
Exemption from the Requirements of Ohio Administrative Code
(OAC) Rule 3745-27-10(F)(2)(e)(ii)**

Dear County Commissioners:

Ohio EPA MAR 27 '19
Entered Directors Journal

On January 22, 2019, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Materials and Waste Management (DMWM), received a document titled "*Exemption Request Pursuant to OAC Rule 3745-27-03 to Delete EDB and DBCP from the Corrective Measures Monitoring Program*", dated January 16, 2019, from the Mannik & Smith Group, for the Ashland County Closed Landfill (Facility). The document was submitted in accordance with OAC Rule 3745-27-03(B), requesting an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii).

OAC Rule 3745-27-10(F)(2)(e)(ii) requires sampling for the parameters numbered 1-66 of Appendix I of OAC Rule 3745-27-10 which were determined to not have been released to ground water. The Ashland County Commissioners requested to delete 1,2-dibromoethane (EDB) and 1,2-dibromo-3-chloropropane (DBCP) from the corrective measures monitoring parameter list for the Ashland County Closed Landfill.

Sampling results for EDB and DBCP included in the exemption request support the removal of DBCP and EDB from the corrective measures monitoring parameter list. Based on the submitted data, Ashland County Closed Landfill has never had a detection of EDB or DBCP and the parameters are not reasonably expected to be in or derived from the waste contained or deposited in the landfill.

Ohio EPA has reviewed the exemption request and has determined that granting Ashland County Closed Landfill an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii) is unlikely to adversely affect public health or safety or the environment.

Therefore, pursuant to Ohio Revised Code (ORC) Section 3734.02(G) and OAC Rule 3745-27-03(B), Ashland County Closed Landfill is hereby granted an exemption from the requirements in OAC Rule 3745-27-10(F)(2)(e)(ii) only as it relates to determining the presence of EDB or DBCP in ground water above background levels. Ashland County Closed Landfill shall continue monitoring all the wells in corrective measures monitoring for parameters 1-27 and parameters 30-66 listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA. This exemption shall remain in effect throughout the effective period of this authorization unless otherwise revoked.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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. 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Ken Brock of Ohio EPA, NWDO at (419) 373-3143.

Sincerely,



Laurie A. Stevenson
Director, Ohio EPA

/wla

ec: Susan Hardy, DMWM-NWDO
Mike Reiser, DMWM-NWDO
Ken Brock, DMWM-NWDO
Pat Donaldson, Ashland County Health Department
Matthew Barnett, The Mannik & Smith Group, Inc.