



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

APRIL 1, 2019

Defiance County Commissioners
500 Court Street, Suite A
Defiance, Ohio 43512

Re: Defiance County Sanitary Landfill
Director's Authorization
Non-Approval
Municipal Solid Waste Landfills
Defiance County
MSWL018764

**Subject: Defiance County Landfill, Defiance County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(k)(ii)
Non-Approval**

Dear Commissioners:

Ohio EPA APR 1 '19
Entered Directors Journal

On November 26, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Materials and Waste Management (DMWM), received a document titled "2018 Semiannual Groundwater Monitoring Report", dated November 20, 2018 for the Defiance County Landfill (Facility) located in Defiance County. This document was submitted by Eagon and Associates, Inc., on behalf of the Owner/Operator pursuant to OAC Rule 3745-27-10(E)(7)(k)(ii), and requested continuation of routine compliance monitoring activities for MW-11 at the Facility and to release the owner or operator from the obligation to perform additional compliance monitoring activities, including an additional Appendix II sampling, at MW-11.

Pursuant to OAC Rule 3745-27-10(E)(7)(k)(ii), the owner or operator may demonstrate that the statistically significant increases over background resulted from a source other than the sanitary landfill, or from error in the sampling, analysis, or statistical evaluation, or from natural variation in ground water quality, and request that the director approve continuation of routine compliance monitoring activities.

The November 20, 2018 document concluded that the statistically significant increase in sodium at monitoring well MW-11 was due to the statistical evaluation rather than an actual increase in sodium concentration. Ohio EPA has reviewed the November 20, 2018 document and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant increase in sodium at monitoring well MW-11 was from a source other than the sanitary landfill, or from error in the sampling, analysis, or statistical evaluation, or from natural variation in ground water quality. Ohio EPA concluded the following:

The sodium data from MW-11 (background and four most recent data) exhibits an increasing trend. Further, the four most recent data values appear to be of a different distributional population than the background dataset. Therefore, adding

the four most recent values to background would inappropriately mask increasing trends in the ground water quality data.

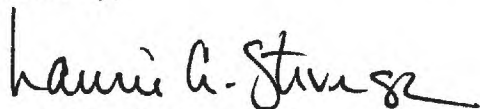
Therefore, I cannot approve this request for continuation of routine ground water compliance monitoring activities at monitoring well MW-11. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

You are hereby notified that this action of the 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

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you in separate correspondence. If you have any questions concerning this letter, please contact Kilynn Sandberg DMWM, NWDO at 419-373-3160.

Sincerely,



Laurie A. Stevenson
Director

Kristin Tillison, DMWM-NWDO
Mike Reiser, DMWM-NWDO
Ken Brock, DMWM-NWDO