



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

AUGUST 23, 2019

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

Re: Erie County Sanitary Landfill
Director's Authorization
Non-Approval
Municipal Solid Waste Landfills
Erie County
MSWL018741

**Subject: Erie County Sanitary Landfill, Erie County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(8)(b)
Response to Request to Grant Reinstatement**

Ohio EPA AUG 23 '19
Entered Directors Journal

Dear Commissioners:

On February 28, 2019, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled "Alternate Source Demonstration to OAC Rule 3745-27-10(E)(8)(b) for Barium, Chloride, and Sodium at Assessment Monitoring Well MW-40D", dated February 28, 2019, for Erie County Landfill (Facility) located in Erie County. This document was submitted by Civil & Environmental Consultants, Inc., on behalf of the Erie County Board of Commissioners, pursuant to OAC Rule 3745-27-10(E)(8)(b), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells 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 change for chloride in monitoring well MW-40D during the October 15-16, 2013 ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(8)(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.

The February 28, 2019 document concluded that the statistically significant changes in barium, chloride, and sodium at monitoring well MW-40D were due to sources other than the Facility. Ohio EPA has reviewed the February 28, 2019 document and has determined

that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant change in barium, chloride, and sodium at monitoring well MW-40D were from a source other than the Facility, due to an error in sampling, analysis, or statistical evaluation, or from natural variation in ground water quality. Therefore, I cannot approve reinstatement of ground water detection monitoring at monitoring well MW-40D. The Erie County Board of Commissioners shall continue to comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E) for MW-40D.

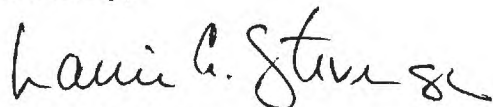
You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code (ORC) Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. 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 Brood Street, 4th floor
Columbus, Ohio 43215

A detailed account of Ohio EPA's review of the February 28th Alternate Source Demonstration will be sent to you in a 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

cc: Mike Reiser, DMWM, NWDO
Craig Ward, Erie County General Health District
Ken Brock, DMWM, NWDO
Tyler Madeker, DMWM, NWDO
Jeremy Carroll, DMWM, CO