



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

August 10, 2020

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

Re: Erie County Closed Landfill
Director's Authorization
Non-Approval
Municipal Solid Waste Landfills
Erie County
MSWL021114

**Subject: Erie County Closed Landfill, Erie County
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Non-Approval**

Dear Erie Commissioners:

On May 11, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled "OAC Rule 3745-27-10(C)(7)(g) Request to Update Background Datasets and Groundwater Statistical Plan Revisions" dated May 11, 2020, for Erie County Closed Landfill (Facility) located at 10102 Hoover Road Milan, Ohio. This document was submitted by Civil and Environmental Consultants, Inc. for the Facility.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to the current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

Please note that this letter regards only Ohio EPA non-concurrence with addition of specific data to background datasets for the Closed Erie County Landfill. Additional letters from the NWDO Chief will address Ohio EPA concurrence with addition of other data to background datasets for the Closed and Active Erie County Landfills.

Ohio EPA has reviewed the May 11, 2020 document and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the following data provided for monitoring well MW-19D should be added to the existing background datasets because it does not meet the requirements of OAC 3745-27-10(C)(7)(g). Therefore, I cannot approve this request to add the provided data from MW-19D to existing background datasets at Erie County Closed Landfill.

Well	Parameter	Sample Date	Concentration
MW-19D	Ammonia	4/23/2002	2.41 mg/L
		10/6/2004	3.45 mg/L
		4/20/2005	3.11 mg/L
		5/3/2006	2.89 mg/L
		10/11/2006	2.63 mg/L
		5/15/2007	2.58 mg/L
		9/25/2007	2.73 mg/L
		11/14/2007	2.41 mg/L
		9/16/2008	3.56 mg/L
		10/28/2008	2.61 mg/L
		10/13/2010	2.43 mg/L
	Sodium	9/16/2008	1400 mg/L

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, OH 43215

Erie County Closed Landfill
OAC Rule 3745-27-10(C)(7)(g)
Page 3

If you have any questions concerning this letter, please contact Kilynn Sandberg of Ohio EPA, NWDO at 419-373-3160.

Sincerely,



Laurie A. Stevenson
Director, Ohio EPA

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