



ENTERED DIRECTOR'S JOURNAL

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

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LEGAL OFFICE

FEBRUARY 1, 2017

Commissioner Christopher M. Day
President
Board of Preble County Commissioners
Preble County Courthouse - 1st floor
101 East Main Street
Eaton, Ohio 45320

Re: Preble County Sanitary Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Preble County
MSWL018790

**Subject: Preble County Sanitary Landfill, Preble County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Commissioner Day:

On December 20, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "OAC Rule 3745-27-10 (D)(7)(c)(ii) Demonstration that the Statistical Exceedance of Barium at Well R-3 for the Spring 2016 Semi-Annual Sampling Event is Not a Result of Landfill Activities at the Preble County Sanitary Landfill.," dated December 16, 2016, for Preble County Sanitary Landfill (Facility) located in Preble County. This document was submitted by T&M Associates, on behalf of the Preble County Commissioners, and contains the ground water sampling results and the statistical analysis from the June 14, 2016 ground water sampling event at the Facility.

The analysis of the ground water detection monitoring data included in the document indicates that the following statistically significant changes were detected: Barium in monitoring well R-3.

Pursuant to OAC rule 3745-27-10(D)(7)(c)(ii), 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 natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring not later than two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC rule 3745-27-10(E) for ground water quality assessment monitoring.

As demonstrated in the December 16, 2016 document, the statistically significant change for barium at monitoring well R-3 was due to well redevelopment, and not as a result of impact from the landfill. Monitoring well R-3 was initially sampled on June 14, 2016.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the December 16, 2016 document. Therefore, pursuant to OAC rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well R-3.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this action, please contact Jill Olberding, DMWM, SWDO at (937) 285-6094.

Sincerely,



Russell Brown, Assistant Chief
Southwest District Office
for Craig W. Butler, Director

ec: Michelle Ackenhausen, DMWM, SWDO
Erik Balster, Preble County Health Department
Dave Wilson, Preble County Landfill
John McGinnis, DDAGW, SWDO