



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

DECEMBER 28, 2017

Athens County Commissioners
Athens County Courthouse
15 South Court Street
Athens, Ohio 45701

Re: Athens County 691 Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfill
Athens County
MSWL019387

Ohio EPA DEC 28 '17
Entered Directors Journal

**Subject: Athens County 691 Landfill, Athens
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) Approval**

Dear Commissioners:

On September 19, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled "Alternate Source Demonstration for Ammonia in Well MW-19A." The document was submitted in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii), as effective June 1, 1994, by Eagon & Associates, Inc., on behalf of the Athens County Commissioners.

On August 28, 2017, Ohio EPA received a semiannual ground water report, which contained the sampling results and statistical analyses from the June 2017 sampling event at the Athens County 691 Landfill (Facility) located in Athens County. Analysis of the ground water detection monitoring data indicated that a statistically significant change was detected for ammonia in monitoring well MW-19A.

The alternate source demonstration received on September 19th concluded that the statistically significant change for ammonia at monitoring well MW-19A reported in the August 28th submittal was due to natural variation in ground water quality and was not a result of impact from the landfill. On August 8, 2017, the facility owner resampled MW-19A, and the ammonia result was below the statistical limit.

In accordance with the Consent Order between the Athens County Commissioners and Ohio EPA entered into on August 31, 1994, the Facility is subject to the ground water monitoring requirements of OAC Rule 3745-27-10, as effective June 1, 1994. Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), as effective June 1, 1994, the owner or operator may demonstrate that the statistically significant increase over background resulted from a source other than the sanitary landfill, or from error in sampling, analysis, or statistical evaluation, or natural variation in ground water quality. A report certified by a qualified ground water scientist 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, the owner or

operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 19, 2017 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), as effective June 1, 1994, the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-19A.

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.

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 Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this action, please contact Dan Bergert, DMWM, SEDO at (740) 380-5438.

Sincerely,



Craig W. Butler, Director

HT/CB/DB/mr

ec: Thomas Jenkins, Eagon & Associates, Inc.
JoAnne Rockhold, Athens County Commissioners
Rich Fox, DMWM-SEDO
Steve Lowry, DDAGW-SEDO
Scott Hester, DMWM-CO
Mike Cooper, R.S., Athens County Health Department