



State of Ohio Environmental Protection Agency

Northwest District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: GMPT Landfill, Defiance County
Ground Water

July 8, 2008

Mr. Chuck Renn
Environmental Engineering
General Motors Powertrain
P. O. Box 70
Defiance, Ohio 43512-0070

Dear Mr. Renn:

On June 9, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a response (dated June 6, 2008) to an Ohio EPA comment letter dated May 6, 2008 regarding the ground water monitoring program at the General Motors Powertrain Landfill (facility) in Defiance County. The response was reviewed to determine compliance with Ohio Administrative Code (OAC) Rule 3745-30-08.

COMMENTS

Owner/Operator's Response to Previously Cited Violations

1. **The May 6, 2008 letter from Ohio EPA cited GMPT in violation of OAC Rules 3745-30-08(C)(6)(f) and (C)(5) regarding the application of statistical analyses to the ground water quality data. In the submittal, GMPT maintains that it is not in violation of these rules as the provisions of the Ground Water Monitoring Plan are being adhered to. However, as detailed below, GMPT continues to be in violation of these rules. GMPT must revise the statistical analysis procedures to control or correct for spatial variability of the ground water quality data.**

OAC Rule 3745-30-08(C)(6)(f) requires that if necessary, "...the statistical method shall include procedures to control or correct for...spatial variability...". Further, OAC Rule 3745-30-08(C)(5) requires that "...The statistical method specified shall ensure protection of human health and safety and the environment...".

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The submittal states *"GMPT-Defiance believes that there is spatial variability as would be expected across a mile wide site, not only in upgradient wells, but in downgradient wells as well."* Ohio EPA concurs.

However, the inter-well statistical methods which GMPT is using do not include procedures to control or correct for spatial variability. These procedures are necessary as there is notable spatial variability at the facility. Therefore, the requirements of OAC Rule 3745-30-08(C)(6)(f) are not being met.

Further, as stated in the July 24, 2007, November 30, 2007, and February 14, 2008 letters from Ohio EPA, GMPT's current application of statistical analysis for iron data conflicts with the fundamental purpose of the ground water monitoring program (to detect and assess potential releases from the landfill) and as such, does not ensure the protection of human health and safety and the environment. Therefore, the requirements of OAC Rule 3745-30-08(C)(5) are not being met.

Related Issues

As stated in the May 6, 2008 letter from Ohio EPA, US EPA statistical guidance repeatedly cautions against inter-well statistical methods when spatial variability is identified.

Regarding the use of US EPA statistical guidance, the submittal states *"GMPT-Defiance is concerned with the Ohio EPA's reliance on a US EPA Interim Final Guidance Document...At best, guidance provides advice to assist in implementation of the regulations."* For clarification, Ohio EPA agrees that the US EPA guidance provides advice to assist in implementation of the regulations. In fact, that is precisely how Ohio EPA is using the guidance in this instance.

Further, the submittal states *"...GMPT-Defiance maintains that it is not in violation of either OAC Rule 3745-30-08(C)(5) or 3745-30-08(C)(6)(f) since all provisions of the Ohio EPA approved groundwater monitoring plan are adhered to which was written in accordance with accepted statistical procedures."*

For clarification, the purpose of a ground water monitoring plan is to represent a plan with an intent to guide an owner/operator towards compliance with the applicable rules. Because of this, ground water monitoring plans generally do not document the detail of the applicable rules (nor are they required to) yet also include details that go beyond that prescribed by the applicable rules. Therefore, ground water monitoring plans typically are inherently different (in both content and format) than the applicable rules. Hence, compliance with a ground water monitoring plan is not necessarily synonymous with compliance with the applicable rules.

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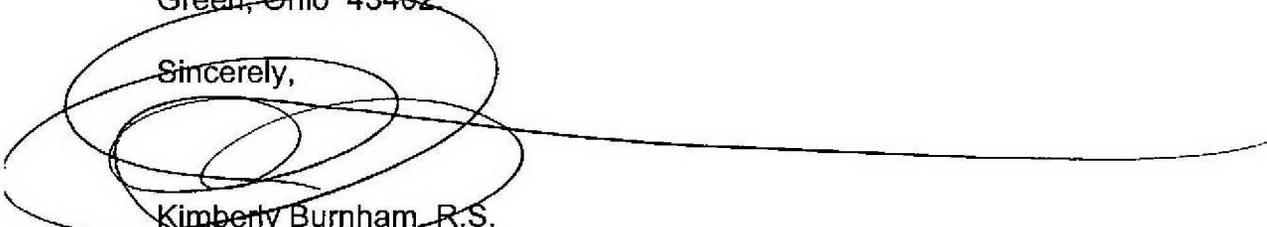
As an example of this, GMPT's Ground Water Monitoring Plan documents that Tolerance Limits are currently being used for statistical analysis. However, the plan is vague in that it does not document the specific decisions criteria which are used in manipulating the data for statistical analysis. Therefore, while GMPT may be meeting the specifications of the Ground Water Monitoring Plan, it is not meeting all the requirements of the OAC rules as noted above.

Statements

2. **The May 6, 2008 letter from Ohio EPA contained three (3) comments regarding the ground water monitoring program for the facility. As detailed in Comment No. 1 above, issues of Comment No. 1 of the May 6, 2008 letter remain outstanding. Comments No. 2 and 3 of the May 6, 2008 letter did not require responses. However, GMPT chose to respond to these comments and GMPT's responses are duly noted.**

If you have any questions, please feel free to contact Ken Brock at the Ohio EPA Northwest District Office at 419-373-3143. Any written correspondence should be sent to the attention of Kimberly Burnham, Division of Solid and Infectious Waste Management, Ohio EPA Northwest District Office, 347 N. Dunbridge Road, Bowling Green, Ohio 43402

Sincerely,



Kimberly Burnham, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/lb

pc: Tamara Moorman, RMT, Inc.

~~NWDO File: DeLancey County, GMPT, Landfill, Ground Water~~

ec: Jack Leow, DDAGW, NWDO
Ken Brock, DDAGW, NWDO

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