



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Huron County Landfill
Ground Water
Huron County, Ohio

June 1, 2009

Huron County Commissioners
180 Milan Avenue
Norwalk, Ohio 44857

Dear Commissioners:

The Ohio Environmental Protection Agency (Ohio EPA) reviewed the "Response (dated November 25, 2008) to Ohio EPA letter of August 21, 2008, regarding comments on the May 2008 (revised) Ground Water Detection Monitoring Plan." Ohio EPA received the document on November 26, 2008. The Huron County Commissioners (owner/operator) are required to monitor ground water quality at the Huron County Landfill (facility) in accordance with Ohio Administrative Code (OAC) Rule 3745-27-10, effective August 15, 2003. Wells MW-19, AW-19A and MW-19C are in assessment monitoring due to statistically significant concentrations of sodium, chloride, and Volatile Organic Compounds (VOCs). The document includes a revised Ground Water Detection Monitoring (GWDM) Plan dated November 2008. Ohio EPA reviewed the document with respect to Ohio EPA's November 21, 2008, letter and the requirements of Ohio Administrative Code (OAC) Rule 3745-27-10.

COMMENTS

Evaluation of Owner or Operator's Response to Previously Cited Violations

- 1. The owner/operator remains in violation with OAC Rule 3745-27-10(C)(1), which requires consistent sampling, analysis, and statistical methods, designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells. For the owner/operator to return to compliance, the Ground Water Detection Monitoring Plan (DMP) should be revised as discussed below.**

The owner/operator response states, in part, "When a statistically significant event is confirmed, bullet 2 on page 7-5 of the DMP explains the procedures we will use to determine if a value will be used in the background data base." Bullet 2 on page 7-5 of the revised DMP states, "If the initial sample is statistically significant, and the confirmation sample confirms the result, the first analysis will be considered to be indicative of ground water quality and may signal a shift in the concentration. The initial sample will be considered for background update pending the result of the demonstration submitted to the Ohio EPA under Rule 3745-27-10(D)(7)(c)(ii) indicating that the statistically significant concentration was due to something other than the landfill. If a demonstration has not been submitted or approved, then the initial statistically significant sample will be used in the database."

If the demonstration is accepted by the Director of the Ohio EPA, the result from the initial sample and the confirmation sample will be considered independent samples and used in the database for updating the background."

For the owner/operator to return to compliance, bullet 2 on page 7-5 of the DMP should be revised to clarify [where the revised text is underlined below]: If a demonstration has not been submitted or approved, then the initial statistically significant sample will not be used in the database. If the demonstration is accepted by the Director of the Ohio EPA, the result from the initial sample and the confirmation sample will be considered independent samples and used in the database for updating the background only if the statistical increase was due to a natural variation in ground water quality in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) and the data is part of a demonstration approved by the Director in accordance with OAC Rule 3745-27-10(C)(7)(g).

Please note data in groups of four or more do not need director's approval to be added to the background database, if the data have never been statistically significant.

More Information Needed to Determine Compliance

- 2. Compliance with OAC Rules 3745-27-10(C)(1) and (C)(7)(g) cannot be determined at this time. Please see Comment 1 above for the first rule citation. OAC Rule 3745-27-10(C)(7)(g) requires background data 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 differenced are detected, unless another method is deemed acceptable to the director. For Ohio EPA to determine compliance, the owner/operator should revise the DMP as discussed below.**

The owner/operator's response states, *"The text in Section 7.4.3 has been revised to indicate that new data that exhibits an upward or downward trend will only be added to the background data set when justification is provided for the inclusion."* Section 7.4.3 in the revised DMP states, in part, *"...new data that exhibits an upward or downward trend in an upgradient, sidegradient, or downgradient well will not be added to the potential background data set unless a cause other than the landfill can be determined. Data added to the background that exhibits a trend will provide justification for their inclusion."*

For Ohio EPA to determine compliance, the owner/operator should revise Section 7.4.3 in the DMP to clarify [where the revised text is underlined below]: The new data that exhibits an upward or downward trend in an upgradient, sidegradient, or downgradient well will not be added to the potential background data set, unless the statistical increase was due to a natural variation in ground water quality in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) and the data is part of a demonstration approved by the Director in accordance with OAC Rule 3745-27-10(C)(7)(g).

Please note the owner/operator is not required to submit a demonstration pursuant to OAC Rule 3745-27-10(C)(7)(g) for approval by the director when a trend is identified. The demonstration is needed, however, if any of the proposed background data, comprising a trend, have previously been statistically significant.

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Information that could justify such data may include: a similarity of background data to the range and variance of site data and regional data; data indicating an off-site source; results indicating a release from an on-site source that does not include a release from the limits of waste unit being monitored; and supporting evidence in relevant, professional literature.

Statements

3. **The owner/operator's response to Comments 2-9 and 11-14 in the August 21, 2008, letter are adequate. No further information is needed to address these comments at this time.**

If you have any questions please feel free to contact Pete Sokoloski at the Ohio EPA Northwest District Office (419-373-4100). Any written correspondence should be sent to the attention of Tyler Madeker, Division of Solid and Infectious Waste Management, Ohio EPA Northwest District Office, 347 N. Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,



Tyler Madeker S.I.T.
Division of Solid and Infectious Waste Management

/lb

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