



State of Ohio Environmental Protection Agency

OHIO E.P.A.

Northwest District Office

APR 19 2010

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ENTERED DIRECTOR'S OFFICE
Ted Strickland, Governor
Lee D. Fisher, Lieutenant Governor
Chris Korleski, Director

APR 19 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. Alvie Green
Noble Road Landfill
170 Noble Road East
Shiloh, Ohio 44878

By: [Signature] Date: 4-19-10

**Re: Noble Road Landfill, Richland County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Green:

On September 12, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "OAC 3745-27-10(D)(7)(c)(i) and OAC 3745-27-10(D)(7)(c)(ii) Demonstrations for the 2009 First Semiannual Sampling Event Results Noble Road Landfill", dated September 11, 2009, for the Noble Road Landfill (Facility) located in Richland County. The above referenced document was submitted by Eagon and Associates, on behalf of the owner/operator of Noble Road Landfill. The document contains the ground water sampling results and the statistical analysis for samples collected during the May 12 and 13, 2009, sampling event and the July 28, 2009, resampling event. Since the time limits in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) were exceeded, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 from natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program.

The September 11, 2009, document concluded that the statistically significant change for potassium at BW-15 was due to a source other than the sanitary landfill facility, and not as a result of impact from the landfill. The September 11, 2009, document also concluded that the statistically significant change for arsenic at MW-10R was due to an error in analysis or statistical evaluation, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 11, 2009, document. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells BW-15, and MW-10R.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at 419-373-3078.

Sincerely,


Erin Gery for
Shannon Nabors, Chief
Northwest District Office
for Chris Korleski, Director
/lb

cc: Joe Montello, Allied Waste
Thomas Jenkins, Eagon and Associates, Inc.
Andrea Barnes, Richland County Health Department
Scott Hester, DSWIM-CO
Jack Leow, DDAGW-NWDO,
Randy Skrzyniecki, DDAGW-NWDO
Mike Reiser, DSIWM-NWDO
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