



State of Ohio Environmental Protection Agency

OHIO E.P.A.

Northwest District Office

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MAY 11 2010

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

347 North Dunbridge Rd.  
Bowling Green, OH 43402-9398

ENTERED DIRECTOR'S JOURNAL

MAY 11 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: Chris Korleski Date: 5-11-10

**Re: Noble Road Landfill, Richland County  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Green:

On February 18, 2010, 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)(ii) Demonstrations for the 2009 Second Semiannual Sampling Event Results Noble Road Landfill", dated February 16, 2010, 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.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: potassium in monitoring well BW-15, and arsenic in monitoring well BW-15. Upon review of the submittal by Ohio EPA, it was determined that a demonstration for arsenic at monitoring well BW-15 was not required because a statistically significant change has not occurred.

The document contains the ground water sampling results and the statistical analysis for samples collected during the November 9 and 10, 2009, sampling event and the December 17, 2009, resampling event.

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.

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If the owner or operator does not obtain approval to continue detection monitoring within 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.

The February 16, 2010, document concluded that the statistically significant change for potassium at BW-15 was due to an error in sampling or analysis, 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 February 16, 2010, 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 BW-15.

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.

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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,



Shannon Nabors, Chief  
Northwest District Office  
for Chris Korleski, Director

/llr

pc: Mr. Jay Roberts, Rumpke  
Mr. Dave Murphy, Rumpke  
Thomas Jenkins, Eagon and Associates, Inc.  
Andrea Barnes, Richland County Health Department  
Scott Hester, DSWIM-CO  
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