



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

APR -4 2011

ENTERED DIRECTOR'S JOURNAL

APR 04 2011

CERTIFIED MAIL

Ms. Robin Jones
Project Manager Closed Sites
Waste Management
P.O. Box 13506
Dayton, Ohio 45413

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.

By Scott J. Nally Date: 4-4-11

**Re: ELDA Recycling and Disposal Facility Closed Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Ms. Jones:

On January 14, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received the document titled *"Revised Statistical Analysis Plan For Groundwater Quality Monitoring, ELDA Recycling and Disposal Facility – Revision 5"*, dated January 2011 for the ELDA Landfill located in Hamilton County.

Ohio EPA, Division of Drinking and Ground Waters (DDAGW) has reviewed the proposal and concurs that this data can be added to the background database for the following monitoring wells with the following constituents: Ammonia and Selenium in W-18AR, Ammonia, Barium, Chloride and COD in E-20AR, Ammonia in E-21AR, Chloride in E-24, Chloride in E-25, Sodium in E-27, and Ammonia in E-26. All of these constituents were found to be naturally occurring variations and in the case of E-24, the elevated chloride is the result of a source other than the landfill. These constituents are not the result of a leachate release. The exceedances are believed to be the result of an established background data set that does not fully represent the range of concentrations for these naturally occurring parameters. Therefore pursuant to OAC 3745-27-10 (C)(7)(g), ELDA landfill is authorized to add those statistical exceedances identified in past semiannual reports (for which it was determined that the exceedances were due to natural variability) to the background data set.

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You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact John McGinnis of Ohio EPA, SWDO at (937) 285-6050.

Sincerely,



Jeff G. Hines, Chief
Southwest District Office
for Scott J. Nally, Director

cc: Tracy Buthanan, DSIWM-SWDO
Scott Hester, DSIWM-CO
Rich Thornburg, City of Cincinnati Health Department