



OHIO E.P.A.

DEC -6 2013

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.

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

ENTERED DIRECTOR'S JOURNAL

By: Jim Cassel Date: 12-6-13

CERTIFIED

December 6, 2013

Ms. Robin Jones  
Waste Management, Inc.  
Closed Site Management Group  
1700 North Broad Street  
Fairborn, OH 45324

RE: ELDA RDF  
Director's Authorization  
Approval  
Municipal Solid Waste Landfill  
Hamilton County  
MSWL020025

**Subject: Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Ms. Jones:

On August 12, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "2013 First Semiannual Ground-Water Results and Statistical Analysis," dated August 8, 2013, for the closed ELDA Recycling and Disposal Facility (Facility) located in Hamilton County. This document was submitted by Eagon and Associates, Inc., on behalf of Waste Management, Inc., and contains the ground water sampling results and the statistical analysis from the May 28, 2013 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: chloride in monitoring well E-25.

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. If the owner or operator does not obtain approval to continue detection monitoring not later than 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 demonstration in the August 8, 2013 document supports the conclusion that the statistically significant change for chloride at monitoring well E-25 was due to natural variation in ground water quality, 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 August 8, 2013 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 E-25.

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 assessment monitoring in accordance with OAC rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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 Commission  
77 South High St., 17th Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Maria Lammers in the Ohio EPA Southwest District Office at (937) 285-6046.

Sincerely,



Bonnie Buthker, Chief  
Southwest District Office  
for Scott J. Nally, Director

cc: Tracy Buchanan, DMWM/SWDO  
Darryl Pope, City of Cincinnati Health Department  
Steve Champa, Eagon and Associates, Inc.