



**Environmental
Protection Agency**

Ted Strickland, **Governor**
Lee Fisher, **Lt. Governor**
Chris Korleski, **Director**

OHIO E.P.A.

SEP 18 2012

ENTERED DIRECTOR'S JOURNAL

September 18, 2012

Mr. Glen McMillan
P.O. Bo 762
Suite 200, Brookfield Place
181 Bay Street
Toronto, Canada
M5J2T3

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: Dmya Cassler Date: 9/18/12

**RE: Request for Ohio Administrative Code (OAC) 3745-30-08(C)(6)(g)
Approval to Update Background in well M-71A,
Fraser Papers, Inc. Land Reclamation Site**

Dear Mr. McMillan:

On May 30, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO), received a document titled "Statistical Analysis Program for Ground Water Monitoring, Revision 4 May 2012". This document was submitted by Eagon & Associates, Inc. on behalf of Fraser Papers Inc. Land Reclamation Residual Waste Landfill (Facility) located in Montgomery County.

The facility has requested approval to update background ground water data for monitoring well M-71A. Pursuant to Rule OAC 3745-30-08(C)(6)(g), background data can 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 current background data and no statistical differences are detected, unless another method is deemed acceptable to the Director.

The Ohio EPA, Division of Drinking and Ground Waters (DDAGW) has reviewed the proposal and concurs that sodium concentrations in monitoring well M-71A are due to a source other than the landfill. Therefore, pursuant to OAC 3745-30-08(C)(6)(g), the Facility is authorized to add data from May 2009 through November 2011 (more than four data points), thereby re-establishing background.

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 detection monitoring program being conducted at the Facility.

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 (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 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 Appeal Commission at the following address:

Environmental Review Appeals Commission
77 South High Street
17th Floor
Columbus, Ohio 43215

If you have any questions concerning this document, please contact the Ohio Environmental Protection Agency at (937) 285-6357.

Sincerely,



Bonnie Buthker.
Chief, Southwest District Office
for Scott J. Nally, Director
Ohio Environmental Protection Agency

cc: Paul Stuart, PHDMC
Scott Hester, DSIWM, CO
Greg Brown, DDAGW SWDO