



OHIO E.P.A.

MAR 14 2013

ENTERED DIRECTOR'S JOURNAL

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

March 14, 2013

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

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: Don Lassiter Date: 3-14-13

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

Dear Mr. Green:

On October 9, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled, "OAC 3745-27-10(D)(7)(c)(ii) Demonstration for Arsenic at MW-20 and Ammonia at MW-1, MW-10R, MW-12, MW-16, and MW-20 2012 First Semiannual Sampling Event Results Noble Road Landfill" dated October 2, 2012, 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. Since the time limits in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) have expired, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: arsenic at MW-20, and ammonia at MW-1, MW-10R, MW-12, MW-16, and MW-20.

The document contains the ground water sampling results and the statistical analysis for samples collected during the May 8 and 9, 2012, sampling event.

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 natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA.

The October 2, 2012, document concluded that the statistically significant change for arsenic at MW-20 was due to a change in laboratory resulting in a laboratory error, and not as a result of impact from the landfill.

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The document also concluded that the statistically significant changes for ammonia at MW-1, MW-10R, MW-12, MW-16, and MW-20 were due to changes in both the laboratory and the analytical method resulting in an error in chemical analysis, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration for arsenic at MW-20, and ammonia at MW-1, MW-10R, MW-12, MW-16, and MW-20 included in the October 2, 2012, 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 MW-1, MW-10R, MW-12, MW-16, and MW-20.

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 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.

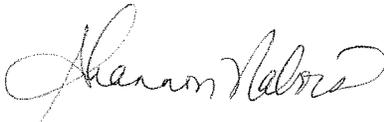
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An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

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

Sincerely,



Shannon Nabors, Chief
Northwest District Office
for Scott J. Nally, Director

pc: Jay Roberts, Rumpke
Dave Murphy, Rumpke
Thomas Jenkins, Eagon and Associates, Inc.
Andrea Barnes, Richland County Health Department
Scott Hester, DMWM-CO
Tim Fishbaugh, DDAGW-NWDO,
Mike Reiser, DMWM-NWDO
5-11954

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