



**Environmental
Protection Agency**

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

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

September 18, 2012

Waste Management
Attn: Mr. Frank Dockery
2460 S. Gettysburg Ave.
Dayton, OH 45418

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: Donna Cassler Date: 9/18/12

**RE: Stony Hollow Landfill, Inc., Montgomery County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Dockery,

On May 25, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO), received a document titled "2012 First Semiannual Ground -Water Report " dated May 22, 2012, for Stony Hollow Landfill, Inc. (Facility) located in Montgomery County. This document was submitted by Eagon & Associates, Inc., on behalf of Stony Hollow Landfill, and contains the ground water sampling results and the statistical analysis from the March 12-13, 2012 semiannual ground water sampling event at the Facility. Resampling occurred April 26, 2012 and May 9, 2012.

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 MW-5R.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the landfill caused the contamination, or that the statistically significant change over background 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 May 22, 2012 document concluded that the statistically significant change for chloride at monitoring well MW- 5R, was due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well MW-5R was initially sampled on March 12-13, 2012.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the May 22, 2012 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 MW-5R.

Should future or existing ground water sampling results indicate statistically significant changes in the 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 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 (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 Appeal Commission at the following address:

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

If you have any questions, concerning this letter, please contact Betty Arthungal of the Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



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

cc: Tracy Buchanan, DMWM-SWDO
Paul Stuart, PHDMC
Jay Cavender, DDAGW-SWDO