



OHIO E.P.A.

APR 25 2013

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

ENTERED DIRECTOR'S JOURNAL

CERTIFIED

April 25, 2013

Waste Management, Inc.  
Attn: Robin L. Jones  
Closed Sites  
1700 N. Broad Street  
Fairborn, OH 45324

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: [Signature] Date: 4-25-13

**Re: Waste Management Allied Landfill  
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Ms. Jones:

On January 30, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled, "Statistical Analysis Program for Ground-Water Quality Monitoring Allied Landfill," (Document) for Allied Landfill (Facility), located in Vinton County. The Document was submitted by Eagon & Associates, Inc., on behalf of Waste Management, Inc., and contains a request to include previously identified exceedances into the respective background observation periods.

The Facility had a statistical exceedance in well MW-2 for nickel (0.01 mg/L) in the initial February 2012 sampling event. On March 5, 2013, a verification resampling was conducted at well MW-2. The resample event did not indicate a statistical exceedance for nickel (ND<0.01) in MW-2 and was retained in the detection monitoring program in accordance with OAC Rule 3745-27-10(D)(7)(c)(i). The Facility requests inclusion of previously identified exceedances into the respective background observation periods in accordance with OAC Rule 3745-27-10(C)(7)(g).

Pursuant to OAC Rule 3745-27-10(C)(7)(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 of Ohio EPA (Director).

Ohio EPA has reviewed the Document and concurs with the Facility's request to include nickel in well MW-2 into the background observation periods in accordance with OAC Rule 3745-27-10(C)(7)(g). Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner, or operator is hereby authorized to update the background database for nickel in well MW-2.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 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 Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Erika Jackson of Ohio EPA, SEDO at (740) 380-5228.

Sincerely,



Jim Sfetra, Chief  
District Office  
for Scott J. Nally, Director

JS/EJ/mr

cc: Rich Fox, DMWM-SEDO  
Joe Laughery, DDAGW-SEDO  
Scott Hester, DMWM-CO  
Stephen Champa, Eagon & Associates  
Janelle McManis, Vinton County Health Department