



State of Ohio Environmental Protection Agency

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Mr. Rick Kostelnick
c/o Noble Road Landfill
170 Noble Road East
Shiloh, Ohio 44878

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

Dear Mr. Kostelnick:

In a report dated January 26, 2004, Environmental Resources Management (ERM) submitted to the Ohio Environmental Protection Agency (Ohio EPA) a request, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b), to reinstate monitoring well BW-11 back into the detection monitoring program for chemical oxygen demand (COD) at the Noble Road Landfill (Facility) located in Richland County.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator may demonstrate that a source other than the facility caused the contamination, or the increase resulted from error during sampling, analysis, statistical evaluation, or natural variation in the ground water. The January 26, 2004, report concludes that the statistically significant increase of COD in monitoring well BW-11 was due to a source other than the landfill.

Ohio EPA has reviewed the report, and we concur with the above conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for COD at monitoring well BW-11.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the Facility owner or operator will be required to either enter the assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in detection monitoring in accordance with OAC Rule 3745-27-10(D)(7)(c).

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission (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. It must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days after

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

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filing with the Commission.

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

Environmental Review Appeals Commission
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this approval, please contact Mary Ann Miller of Ohio EPA's Northwest District Office at (419) 373-3060.

Sincerely,

Christopher Jones
Director

cc: Mary Ann Miller, DSIWM-NWDO
Jack Leow, DDAGW-NWDO, 5-3935
Scott Hester, DSIWM-CO
Steve Schwarzwaldner, Richland County Health Department
Joseph Montello, ERM, 30775 Bainbridge Road, Suite 180, Solon, Ohio 44139
File: Richland County, Noble Road Landfill, Authorizing Documents