



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Frank Fello
Waste Management Inc.
3415 Township Road #447
Glenford, Ohio 43739

**Re: Pinnacle Road RDF, Montgomery County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Request**

Dear Mr. Fello,

By a report received on December 6, 2005, the owner/operator of the Pinnacle Road RDF notified the Ohio Environmental Protection Agency (Ohio EPA), Southwest District Office (SWDO) of a statistically significant increase in the concentration of chloride in monitoring wells MW-11TS and MW-10AQ. Sampling was conducted on September 26-29, 2005, with a resampling event on November 8 and again on November 21, 2005. Accompanying the report was a request to continue detection monitoring. The request was submitted in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii), and provides the owner/operator's demonstration that the statistically significant increase of chloride in monitoring wells MW-11TS and MW-10AQ was determined to be the result of natural or spacial variability in ground water quality.

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 increase over background resulted from error in sampling, analysis, or statistical evaluation, or natural variation in ground water quality.

Upon review of the submitted information, Ohio EPA concurs with the demonstration for chloride in monitoring wells MW-11TS and MW-10AQ, and approves continuation of the detection monitoring program in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) for the wells and parameter specified above.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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Should future or existing ground water sampling results indicate statistically significant changes in the ground water quality for this or other detection monitoring locations, the facility owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E), or obtain similar approval to remain in detection monitoring.

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. A copy of the appeal must be served on the Director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

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

If you have any questions, please contact Betty Arthungal of the Ohio EPA, Southwest District Office at (937) 285-6357.

Sincerely,

Thomas A. Winston, P.E.
Chief, Southwest District Office

for Joseph Koncelik
Director, Ohio Environmental Protection Agency

cc: Jeffery Mullins, Montgomery County Health Department
Greg Brown, Ohio EPA, SWDO, DDAGW

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