



State of Ohio Environmental Protection Agency

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Ms. Robin Jones
Project Manager Closed Sites
Waste Management
P.O. Box 13506
Dayton, Ohio 45413

**Re: ELDA RDF Closed Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Ms. Jones:

On February 3, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "2005 Second Semiannual Ground Water Results and Statistical Analyses," dated February 1, 2006, for the closed ELDA Recycling and Disposal Facility (RDF), (Facility) located in Hamilton County. This document was submitted by the consulting firm of Eagon & Associates, Inc. on behalf of Waste Management, Inc. and contains the ground water sampling results and the statistical analysis from the November 21-22, 2006, ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: arsenic, chloride, and sodium in monitoring well E-6ARR; and sodium in monitoring wells E-21AR and E-26.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), 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. If the owner or operator does not obtain approval to continue detection monitoring within 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 February 1, 2006, document concluded that the statistically significant changes for arsenic, chloride, and sodium in monitoring well E-6ARR; and sodium in monitoring wells E-21AR and E-26 were due to natural variation within the uppermost aquifer system, and not as a result of impact from the landfill. Monitoring wells E-6ARR, E-21AR, and E-26 were initially sampled on November 21-22, 2006.

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

Ms. Robin Jones
Waste Management
Page 2 of 2

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the February 1, 2006, 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 wells E-6ARR, E-21AR, and E-26.

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 assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the Director of Ohio EPA (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. 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 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 letter, please contact Holly Hillyer of Ohio EPA, SWDO at (937) 285-6072.

Sincerely,

Thomas A. Winston, P.E., Chief
Southwest District Office
for Joseph P. Koncelik, Director

cc: Tracy Buchanan, DSIWM-SWDO
Scott Hester, DSWIM-CO
Rick Thornburg, Cincinnati Health Department