



State of Ohio Environmental Protection Agency

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MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

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(D)(7)(c)(ii) Approval**

Dear Mr. Kostelnick:

On January 30, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Demonstration for Potassium in BW-15 and Nickel in MW-10R APPROVAL NEEDED BY APRIL 10, 2007 TO REMAIN IN DETECTION MONITORING Noble Road Landfill, Shiloh, Ohio," dated January 29, 2007. This document was submitted by Eagon and Associates, Inc. on behalf of the Noble Road Landfill, and contains the ground water sampling results from the September 2006 sampling event, the October 30, 2006 initial resampling event and the December 5, 2006 alternate source demonstration 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: potassium in well BW-15 and nickel in well MW-10R.

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 January 29, 2007 document concluded that the statistically significant changes for potassium at monitoring well BW-15 and nickel at monitoring well MW-10R resulted from natural variation and not as a result of impact from the landfill. Monitoring well BW-15 was initially sampled on September 25, 2006, and MW-10R was initially sampled on September 19, 2006.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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Ohio EPA has reviewed the applicable information and concurs with the demonstrations included in the January 29, 2007 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 MW-10R and BW-15.

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 is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Section 3745.04 of the Ohio Revised Code. 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Mary Ann Miller of Ohio EPA, NWDO at 419-373-3060.

Sincerely,

Shannon Nabors, Chief
Northwest District Office
for Chris Korleski, Director

cc: Andrea Barnes, Richland County Health Department
Joe Montello, Allied Waste
Thomas Jenkins, Eagon and Associates, Inc.
Ed Merriman, DSIWM-NWDO
Randy Skrzyniecki, DDAGW, NWDO, 5-6696
Jack Leow, DDAGW, NWDO
Scott Hester, DSWIM-CO