



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

MAILING ADDRESS:

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

Mr. Rick Kostelnick  
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 September 28, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Demonstration for nickel and potassium in BW-15 and nickel in MW-9 and MW-10R Noble Road Landfill, Shiloh, Ohio" dated September 27, 2007, for the Noble Road Landfill (Facility) located in Richland County. This document was submitted by Eagon & Associates, on behalf of Allied Waste, and contains the ground water sampling results and the statistical analysis from the May 1-3, 2007 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: nickel and potassium in BW-15 and nickel in MW-9 and 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 September 27, 2007 document concluded that the statistically significant changes for nickel and potassium in BW-15 and nickel in MW-9 and MW-10R were due to a source other than the sanitary landfill facility, and not as a result of impact from the landfill. Monitoring well BW-15 was initially sampled on May 2, 2007. Monitoring wells MW-9, and MW-10R were initially sampled on May 3, 2007.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 27, 2007 document. Therefore, pursuant to OAC 3745-27-10(D)(7)(c)(ii), the owner or

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

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operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells BW-15, MW-9, and MW-10R.

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 an 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 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, OH 43215

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,

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

cc: Tyler Madeker, DSIWM-NWDO  
Scott Hester, DSWIM-CO  
Joe Montello, Allied Waste  
Danielle Axson, Allied Waste  
Thomas Jenkins, Eagon and Associates, Inc.  
Andrea Barnes, Richland County Health Department

ec: E. Jay Murphy, DSIWM-NWDO  
Randy Skrzyniecki, DDAGW-NWDO  
Jack Leow, DDAGW-NWDO, 5-7211