



State of Ohio Environmental Protection Agency

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CERTIFIED MAIL

Marie Dumontier, P.E.  
Nexfor Fraser Papers Inc.  
451 Rue Victoria  
Thurso, Quebec  
Canada JOX 3B0

RE: Request to Return to Detection Monitoring per OAC Rule 3745-30-08(E)(5)

Dear Ms. Dumontier,

On March 28, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO), received a document titled "Request for Director's Approval – OAC 3745-30-08(E)(5)," for the Fraser Papers Inc. Land Reclamation Site (Facility), located in Montgomery County. This document was submitted by Eagon & Associates, Inc., on behalf of Fraser Papers Inc. (Fraser), and was supplemented in July 2007 by the ground water sampling results and the statistical analysis from two additional groundwater sampling events at the Facility. The document requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility (wells M-51AR and M-71A) in accordance with Ohio Administrative Code (OAC) Rule 3745-30-08(E)(5).

Pursuant to OAC Rule 3745-30-08(E)(5), if the owner or operator determines that no waste-derived constituents from the facility have entered the groundwater, then the owner or operator shall request that the director approve reinstatement of the detection monitoring program.

The March 28, 2007 document provided sufficient evidence that the statistically significant changes for sodium at monitoring well M-51AR were not waste-derived. Statistically significant changes for chemical oxygen demand (COD) at monitoring well M-71A for two consecutive events automatically entered the well into the assessment program. However, since November 2004, COD has returned to background levels and is below the statistical limit for the two consecutive sampling events in 2006. Sufficient evidence was provided to support the Facility's claim that COD concentrations in M-71A have returned to background levels.

Ohio EPA has reviewed the applicable information and concurs with the demonstration. Therefore, pursuant to OAC Rule 3745-30-08(E)(5), Fraser is authorized to reinstate the

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

detection monitoring program at the Facility for monitoring wells M-5IAR and M-7IA.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owner/operator will be required to enter into assessment monitoring in accordance with OAC 3745-30-08(E) or obtain an approval to remain in the detection monitoring program.

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. 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 Appeal 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 document, please contact the Ohio Environmental Protection Agency at (937) 285-6357.

Sincerely,

Thomas A. Winston, P.E.  
Chief, Southwest District Office  
for Chris Korelski, Director

cc: Jeff Mullins, Montgomery County Health Department