



State of Ohio Environmental Protection Agency

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July 10, 2009

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

**Re: Fraser Papers, Inc. Land Reclamation Site, Montgomery County
Ohio Administrative Code (OAC) Rule 3745-30-08(C)(6)(g) Approval**

Dear Ms. Dumontier:

On April 29, 2009, 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*" for the Fraser Papers Closed Landfill located in Montgomery County. This document was submitted by Eagon & Associates, Inc. on behalf of Fraser Papers, Inc.

The facility has requested approval to update background ground water data for well M-71A for the parameter Chemical Oxygen Demand (COD). Pursuant to OAC Rule 3745-30-08(C)(6)(g), background data can be added only in blocks of data resulting from four or more statistically independent samples after the data have been statistically compared to current background data and no statistical differences are detected, unless another method is deemed acceptable to the Director.

Ohio EPA has reviewed the proposal and concurs that data from May 2001, May 2003, May 2004, November 2004, November 2005, and May 2007 can be added to the background data set for COD at monitoring well M-71A. Therefore, pursuant to OAC Rule 3745-30-08(C)(6)(g), the owner or operator is hereby authorized to update the background data set for COD at monitoring well M-71A.

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.

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

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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 letter, please contact Betty Arthungal of the Ohio EPA, SWDO at (937) 285-6048.

Sincerely,

Thomas A. Winston, P.E.
Chief, Southwest District Office
For Chris Korleski
Director, Ohio Environmental Protection Agency

Cc: Tracy Buchanan, Ohio EPA, DSIWM, SWDO
Paul Stuart, Public Health - Dayton & Montgomery County
Greg Brown, Ohio EPA, DDAGW, SWDO
Allan Razem, Eagon & Associates, Inc.