



State of Ohio Environmental Protection Agency

OHIO E.P.A.

Northwest District Office

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www.epa.ohio.gov

MAY - 3 2010

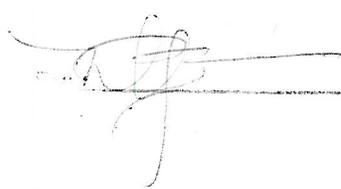
347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

ENTERED DIRECTOR'S JOURNAL
Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

MAY 03 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. Alvie Green
Noble Road Landfill
170 Noble Road East
Shiloh, Ohio 44878

 Date: 5.3.10

**Re: Noble Road Landfill, Richland County
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Mr. Green:

On January 20, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Statistical Analysis Program - Revision 5, Noble Road Landfill, Richland County, Ohio", dated January 16, 2009, for Noble Road Landfill (Facility). This document was submitted by Eagon & Associates, Inc. on behalf of the owner/operator. The submittal contained a request to add previously-determined statistically significant increases to the background database pursuant to OAC Rule 3745-27-10(C)(7)(g). The data associated with the request includes: chloride in MW-9, chromium in MW-12, and potassium in BW-15. This letter will address the request for BW-15 only. MW-9, and MW-12 will be addressed in a separate letter.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can only be added in blocks of data resulting from the analysis of 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 by the director.

Ohio EPA has reviewed the information provided and concurs that the data collected between September 2006 and July 2008 is acceptable relative to updating the background data set for potassium at well BW-15 only if the data collected prior to September 2006 is removed from the background data set. The above referenced data can be added to the background data group.

Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner or operator is hereby authorized to update the background database for potassium at BW-15 with the data collected between September 2006 and July 2008 if the data collected prior to September 2006 is removed from the background data set.

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A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

You are hereby notified that this action of the 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, made payable to "Ohio Treasurer Kevin Boyce," 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
/lb

pc: Thomas Jenkins, Eagon & Associates, Inc.
Jay Roberts, Rumpke
Dave Murphy, Rumpke
Andrea Barnes, Richland County Health Department
Scott Hester, DSWIM-CO
Jack Leow, DDAGW-NWDO,
Randy Skrzyniecki, DDAGW-NWDO
Mike Reiser, DSIWM-NWDO
5-8629