



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

OHIO E.P.A.

SEP 30 2010

ENTERED DIRECTOR'S JOURNAL

SEP 30 2010

Mr. Frank Fello  
Waste Management  
3415 Township Road #447  
Glenford, OH 43739

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.

By: Dan Cassiter Date: 9-30-10

**Re: Closed Pinnacle Road RDF, Montgomery County  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Fello:

On May 28, 2010 the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "Pinnacle Road RDF, Montgomery County, 2010 First Semiannual Ground-water Detection Monitoring Report, OAC 3745-27-10(D)(c)(7)(ii) Request for Director's Approval", dated May 24, 2010, for the Closed Pinnacle Road RDF (Facility) located in Montgomery County. According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride in monitoring wells MW-7T, MW-8AQ, MW-9TD, and MW-11TS.

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 May 28, 2010 document concluded that the statistically significant changes for chloride in monitoring well MW-7T, MW-8AQ, MW-9TD, and MW-11TS were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells; MW-7T, MW-8AQ, MW-9TD, and MW-11TS were sampled on March 16 and 17, 2010.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the May 24, 2010 document for chloride in monitoring wells; MW-7T, MW-8AQ, MW-9TD, and MW-11TS. 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-7T, MW-8AQ, MW-9TD, and MW-11TS.

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 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 Greg Brown of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



Jeff G. Hines, Chief/SWDO  
Southwest District Office for Chris Korleski, Director

cc: Scott Hester, DSIWM-CO  
Paul Stuart, PHDMC  
Greg Brown, DDAGW-SWDO