



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

OHIO E.P.A.

DEC - 1 2011

ENTERED DIRECTOR'S JOURNAL

December 1, 2011

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

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 Sarah L. Casper Date: 12-1-11

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

Dear Mr. Green:

On September 6, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Demonstration for Arsenic in BW-1 2011 First Semiannual Sampling Event Noble Road Landfill", dated August 29, 2011, for the Noble Road Landfill (Facility) located in Richland County. The above referenced document was submitted by Eagon and Associates, on behalf of the owner/operator of Noble Road Landfill.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant change was detected: arsenic in monitoring well BW-1.

The document contains the ground water sampling results and the statistical analysis for samples collected during the May 24 and 25, 2011, sampling event and the June 29, 2011, resampling event.

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.

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The August 29, 2011, document concluded that the statistically significant change for arsenic in monitoring well BW-1 was due to natural variation in ground water quality, and an error in statistical evaluation, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration for arsenic in monitoring well BW-1, included in the August 29, 2011, document. 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 well BW-1.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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 of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

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

Sincerely,

A handwritten signature in cursive script that reads "Shannon Nabors". The signature is written in black ink and is positioned above the typed name and title.

Shannon Nabors, Chief  
Northwest District Office  
for Scott J. Nally, Director

//lr

pc: Jay Roberts, Rumpke  
Dave Murphy, Rumpke  
Thomas Jenkins, Eagon and Associates, Inc.  
Andrea Barnes, Richland County Health Department  
Scott Hester, DMWM-CO  
Jack Leow, DDAGW-NWDO,  
Mike Reiser, DMWM-NWDO

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