



**Environmental
Protection Agency**

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

OHIO E.P.A.

FEB 23 2012

ENTERED DIRECTOR'S JOURNAL

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.

Dan J. Kasich 2/23/12

By: **CERTIFIED MAIL** Date: _____

February 23, 2012

Waste Management
Attn: Mr. Frank Dockery
2460 S. Gettysburg Ave.
Dayton, OH 45418

RE: Stony Hollow RDF, Montgomery County Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval

Dear Mr. Dockery:

On August 25, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO), received a document titled "Statistical Analysis Program for Ground Water Quality Monitoring", for the Stony Hollow RDF (Facility) located in Montgomery County. This document was submitted by Eagon & Associates, Inc., on behalf of Stony Hollow RDF.

The facility has requested approval to update background groundwater data for monitoring wells MW-3R, MW-4R, MW-5R, MW-6R, MW-8RR, MW-9SR, MW-12R, MW-12PS, and MW-13R. Pursuant to Rule 3745-27-10(C)(7)(g), background data can be added only 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 to the Director.

The Ohio EPA, Division of Drinking and Ground Waters (DDAGW) has reviewed the proposal and concurs that chloride concentrations in wells MW-3R, MW-5R, MW-8RR, and MW-12R, and sodium concentrations in monitoring wells MW-4R, MW-12R, MW-12PS, and MW-13R, and alkalinity in MW-6R, MW-8RR, and MW-12R, and ammonia concentrations in MW-9SR, are attributed to natural variability in the ground water. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the Facility is authorized to add data from November 2008 through April 2011 (more than four data points) to the March 1996 to May 2008

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background data set for chloride in wells MW-3R, MW-5R, MW-8RR, and MW-12R, and sodium in monitoring wells MW-4R, MW-12R, MW-12PS, and MW-13R, and alkalinity in MW-6R, MW-8RR, and MW-12R, and ammonia in MW-9SR.

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 detection monitoring program being conducted at the Facility.

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 made payable to "Treasurer, State of Ohio." 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
77 South High Street
17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Betty Arthungal of Ohio EPA, SWDO at 937-285-6048.

Sincerely,



Bonnie Buthker, Acting District Chief/SWDO
for Scott J. Nally, Director

cc: Tracy Buchanan, DMWM-SWDO
Scott Hester, DMWM-CO
Paul Stuart, PHDMC