



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, Ohio 43216-1049

Mr. Bob Downing
Waste Management of Ohio, Inc.
1700 North Broad Street
Fairborn, Ohio 45324

**Re: Pinnacle Road (RDF) Landfill, Montgomery County
Ohio Administrative Code (OAC) Rule 3745-27-10(B)(1) Approval**

Dear Mr. Downing:

On August 31, 2004, the Ohio Environmental Protection Agency (Ohio EPA) Southwest District Office (SWDO) received a request to conduct surface water sampling as part of the ground water monitoring system in accordance with OAC 3745-27-10(B)(1). This surface water sampling is proposed as an alternative to installing an additional monitoring well in an area where it is not practical to install a well. The proposed method of obtaining ground water samples described in this request is considered surface water sampling and, therefore, requires authorization of the director pursuant to OAC Rule 3745-27-10(B)(1)(b).

OAC Rule 3745-27-10(B)(1) states, in part:

“The ground water monitoring system, for detection monitoring, assessment monitoring, or corrective measures, shall consist of a sufficient number of wells, installed at appropriate locations and depths, to yield ground water samples from both the uppermost aquifer system and any significant zones of saturation that exist above the uppermost aquifer system that do the following:

(b) Represent the quality of the ground water passing directly downgradient of the limits of solid waste placement.

The director may require or otherwise authorize an owner or operator to conduct surface water monitoring (i.e., seeps, springs or streams) as part of the ground water monitoring system in areas where it may not be practical to place a well. Such surface water samples shall be representative of ground water quality passing directly downgradient of the limits of solid waste placement.”

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

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Ohio EPA has reviewed the applicable information, and the procedures and techniques described in the August 31, 2004 report are acceptable. Pursuant to OAC Rule 3745-27-10(B)(1), Waste Management of Ohio, Inc. is hereby authorized to conduct surface water monitoring as part of the ground water monitoring system downgradient from well MW-9TS at the Pinnacle Road Landfill.

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 (ORC) 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. A copy of the appeal must be served on the Director within three (3) days of filing with the Commission. An appeal may be filed with the 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 document, please contact Betty Arthungal of the Ohio Environmental Protection Agency, Southwest District Office, at (937) 285-6048.

Sincerely,

Christopher Jones
Director

BA/KM/sw

cc: Allan Razem, Eagon & Associates
Jeff Mullins, Montgomery County Health Department
Scott Hester, DSIWM, CO
Betty Arthungal, DSIWM-SWDO
Greg Brown, DDAGW-SWDO