



State of Ohio Environmental Protection Agency

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CERTIFIED MAIL

Ms. Robin Jones
Project Manager Closed Sites
Waste Management
P.O. Box 13506
Dayton, Ohio 45413

**Re: ELDA RDF Closed Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) Approval**

Dear Ms. Jones:

On February 11, 2005, Ohio Environmental Protection Agency received a document titled "E-6ARR Resampling Data and Alternate Source Demonstration - (D)(7)(c)(ii)" for the ELDA Recycling and Disposal Facility (RDF), Cincinnati, Hamilton County, Ohio. The document was submitted on behalf of Waste Management, by the consulting firm of Eagon & Associates Inc.

The document contains the ground water sampling results and the statistical analysis from the November 29, 2004, second semi-annual ground water sampling event. The results indicated a statistically significant increase for arsenic in ground water quality in well E-6ARR. The submittal also includes an OAC 3745-27-10(D)(7)(c)(ii) demonstration that the exceedance is the result of natural variation of arsenic within the uppermost aquifer system.

Upon review of the information submitted, Ohio EPA **does** concur that the variation in the ground water from ground water monitoring well E-6ARR is not a result of a release from the landfill and can be attributed to the natural variation of arsenic from the uppermost aquifer system.

Pursuant to OAC Rule 3745-27-10(D)(7)(c), the owner /operator is hereby authorized to continue the detection monitoring program at ELDA RDF Closed Landfill for monitoring well E-6ARR, in accordance with OAC Rule 3745-27-10(C) and (D). Upon the effective date of this approval, the owner/operator is not required to comply with OAC 3745-27-10(E) and (F) for the aforementioned sampling event in regard to well E-6ARR.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the facility owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain an

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
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approval to remain in the detection monitoring program.

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 shall be filed with the Commission within thirty (30) days after notice of the action. Notice of the filing of the appeal shall be filed with the director within three (3) days after the appeal is filed with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
Room 222
309 South Fourth Street
Columbus, Ohio 43215

If you have any questions concerning this document, please contact the Ohio Environmental Protection Agency at (937) 285-6357.

Sincerely,

Thomas A. Winston, P.E.
Chief, Southwest District Office

for Joseph P. Koncelik
Director, Ohio Environmental Protection Agency

cc: Rick Thornburg, Cincinnati Health Department
Holly Hillyer DSIWM, SWDO