



State of Ohio Environmental Protection Agency

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P.O. Box 1049  
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July 10, 2007

Mr. Rick Kostelnick  
Noble Road Landfill  
170 Noble Road East  
Shiloh, Ohio 44878

**Re: Noble Road Landfill, Richland County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Kostelnick:

On July 17, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Statistical Analysis of Ground Water Monitoring Results 2006 First Semiannual Sampling Event OAC 3745-27-10(D)(7)(b) Notification of Statistically Significant Increases OAC 3745-27-10(D)(7)(c)(ii) Demonstration of False Positive," dated July 14, 2006, for the Noble Road Landfill (Facility) located in Richland County. This document was submitted by Eagon and Associates, on behalf of the owner/operator of Noble Road Landfill and contains the ground water sampling results and the statistical analysis from the May 1 through 4, 2006 and June 19 and 20, 2006 ground water sampling events at the Facility. Since the time limits in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) were exceeded, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: acetone in monitoring wells BW-1 and BW-11.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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, statistical evaluation, or natural variation in ground water quality. A report documenting this demonstration must be submitted to director and request that the director approve reinstatement of the detection monitoring program described in paragraphs (C) and (D) of this rule.

The July 14, 2006 document concluded that the statistically significant changes for acetone at monitoring wells BW-1 and BW-11 were due to laboratory or bottle problems, and not as a result of impact from the landfill. Monitoring wells BW-1 and BW-11 were initially sampled on May 1 through 4, 2006.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 14, 2006 document. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells BW-1 and BW-11.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

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 (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 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, Ohio 43215

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

Sincerely,

Shannon Nabors, Chief  
Northwest District Office  
for Chris Korleski, Director

/lb

cc: Scott Hester, DSWIM-CO  
Joe Montello, Allied Waste  
Thomas Jenkins, Eagon and Associates, Inc.  
Jack Leow, DSIWM-NWDO, 5-6301  
Andrea Barnes, Richland County Health Department

ec: Mike Reiser, DSIWM-NWDO  
Tyler Madeker, DSIWM-NWDO