



State of Ohio Environmental Protection Agency

**STREET ADDRESS:**

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August 20, 2007

**CERTIFIED MAIL**

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

**Re: ELDA Recycling and Disposal Facility Closed Landfill, Hamilton County  
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Ms. Jones:

On January 17, 2007, and February 9, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received documents titled "Statistical Analysis Program For Ground-Water Quality Monitoring," dated January 17, 2007, and "Statistical Analysis Program For Ground-Water Quality Monitoring - Revision 2A," dated February 9, 2007 for the ELDA Landfill located in Hamilton County. These documents were submitted by Steve Champa of Eagon & Associates, Inc., on behalf of Waste Management of Ohio.

According to the proposed revisions to the "Statistical Program For Ground-Water Quality Monitoring," some statistical exceedances are proposed for inclusion as background data by Waste Management of Ohio. Pursuant to Ohio Administrative Code 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.

Ohio EPA, Division of Drinking and Ground Waters (DDAGW) has reviewed the proposal and concurs that this data can be added to the background database. It has been determined that repeated exceedances in the following: arsenic in MW-6ARR, sodium and chloride in MW-6ARR, and sodium concentrations in monitoring well(s) E-20AR, E-21AR, and E-26, were found to be naturally occurring variations and not the result of a leachate release. These exceedances are believed to be the result of an established background data set that do not fully represent the range of concentrations for these naturally occurring parameters." Therefore pursuant to OAC 3745-27-10 (C)(7)(g), ELDA landfill is authorized to add those statistical exceedances identified in past semiannual

Ted Strickland, Governor  
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reports (for which it was determined that the exceedances were due to natural variability) to the background data set.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals 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 Holly Hillyer of Ohio EPA, SWDO at (937) 285-6449.

Sincerely,

Tom Winston, Chief  
Southwest District Office  
for Chris Korleski, Director

cc: Tracy Buchanan, DSIWM-SWDO  
Scott Hester, DSWIM-CO  
Rick Thornburg, City of Cincinnati Health Department