



State of Ohio Environmental Protection Agency

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Waste Management
Attn: Mr. Frank Fello
3415 Twp. Rd #447
Glenford, OH 43739

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

Dear Mr. Fello,

On October 27, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO), received a document titled "*Ground Water Statistical Analysis Program (Revision 2) Request for Director's Approval*, for the Pinnacle Road RDF located in Montgomery County. This document was submitted by Eagon & Associates, Inc., on behalf of Pinnacle Road RDF.

The facility has requested approval to update background ground water monitoring data for monitoring wells MW-7T and MW-11TS. 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-7T and MW-11TS, and sodium concentrations in monitoring well MW-11TS, 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 April 2005 through May 2006 (more than four data points) to the background data set in well MW-7T for chloride, and well MW 11TS for sodium and chloride.

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 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

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

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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
309 South Fourth Street Room 222
Columbus, Ohio 43215

If you have any questions, concerning this letter, please contact Betty Arthungal of the Ohio EPA, SWDO at (937) 285-6357.

Sincerely,

Thomas A. Winston, P.E.
Chief, Southwest District Office
for Chris Korleski
Director, Ohio Environmental Protection Agency

cc: Tracy Buchanan, DSIWM-SWDO
Paul Stuart, Montgomery County Health Department
Greg Brown, Ohio EPA, SWDO, DDAGW