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Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

DEC 13 2012

ENTERED DIRECTOR'S JOURNAL

December 13, 2012

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

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Don J. Cassler Date: 12-13-12

**RE: ELDA Recycling and Disposal Facility Closed Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Ms. Jones:

On August 13, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled 2012 First Semiannual Ground-water Results and Statistical Analyses, dated August 8, 2012, for ELDA Recycling and Disposal Facility (Facility) located in Hamilton County. This document was submitted by Eagon & Associates Inc., on behalf of Waste Management, Inc., and provides confirmation resampling of statistical exceedances from the May 29 and 30, 2012 first semi-annual ground water sampling events at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: sodium and chloride in monitoring well E-24, chloride in monitoring wells E-25, and W-18AR and sodium in monitoring well E-20AR.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), 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, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The August 8, 2012 document concluded that the statistically significant changes for sodium and chloride in monitoring well E-24, chloride in monitoring wells E-25, and W-18AR and sodium in monitoring well E-20AR appears not to be a result of a release from the landfill. Ohio EPA determined that a comparison of Piper/Stiff diagrams between leachate and water quality parameters, and the lack of VOC detections support the facility's conclusion that the exceedances observed in these wells can be attributed to natural variation.

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Ohio EPA has reviewed the applicable information and demonstration included in the August 8, 2012 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells E-24, E-25, W-18AR and E-20AR.

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 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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact John McGinnis of Ohio EPA, SWDO at (937) 285-6449.

Sincerely,



Bonnie Buthker, Chief
Southwest District Office
for Scott J. Nally, Director

cc: Tracy Buchanan, DMWM-SWDO
Richard Thornburg, Cincinnati Health Department
John McGinnis, DDAGW-SWDO