



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

MAR 27 2012

ENTERED DIRECTOR'S JOURNAL



March 27, 2012

Mr. Glen McMillan
P.O. Bo 762
Suite 200, Brookfield Place
181 Bay Street
Toronto, Canada
M5J2T3

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: John Cassiter Date: 3/27/12

RE: Request to Reinstate Well M-7IA to Detection Monitoring Program per Ohio Administrative Code (OAC) 3745-30-08(D)(13), Fraser Papers, Inc. Land Reclamation Site

Dear Mr. McMillan:

On October 12, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO), received a document titled "OAC 3745-30-08(D)(13) Request for Director's Approval – to Reinstate Well M-7IA to Detection Monitoring Program". This document was submitted by Eagon & Associates, Inc., on behalf of Fraser Papers Inc. Land Reclamation Site located in Montgomery County, and references ground water sampling results and the statistical analysis from multiple groundwater sampling events at the Facility. The document requests return to the detection monitoring program for well M-7IA in accordance with Ohio Administrative Code (OAC) 3745-30-08(D)(13).

The facility notified Ohio EPA that sodium had exceeded the CUSUM statistical limit for two consecutive events, triggering additional sampling pursuant to rule OAC 3745-30-08(D)(10), (11) &(12). The facility sampled the affected well for all waste derived constituents detected and reported in the leachate. The facility has provided the sampling results, piper and stiff diagrams, and time series plots for leachate and other indicator parameters all summarized in the request for reinstatement of well M-7IA back into the detection monitoring program.

Pursuant to OAC 3745-30-08(D)(13), the owner or operator may request that the director approve reinstatement of the detection monitoring program. A report documenting this demonstration must be submitted to and approved by Ohio EPA. The October 12, 2011 document requests return to detection monitoring for well M-7IA. Sufficient evidence is provided to support the facility's claim that statistical increases of sodium concentrations in M-7IA are not waste-derived and are due to a source other than the landfill.

The Ohio EPA has reviewed the applicable information and concurs with the facility's demonstration that the statistically significant increase for sodium in well M-7IA can be attributed to a source other than the landfill. Therefore, pursuant to OAC Rule 3745-30-08(D) (13), the owner or operator is hereby authorized to return to the detection monitoring program at the Facility for monitoring well M-7IA.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owner/operator will be required to enter into assessment monitoring in accordance with OAC 3745-30-08(E) or obtain an 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 (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 made payable to "Treasurer, State of Ohio." 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 Appeal Commission at the following address:

Environmental Review Appeals Commission
77 South High Street
17 Floor
Columbus, Ohio 43215

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

Sincerely,

A handwritten signature in black ink, appearing to read "Bonnie Buthker", with a long horizontal flourish extending to the right.

Bonnie Buthker
Chief, Southwest District Office
for Scott J. Nally, Director
Ohio Environmental Protection Agency

cc: Paul Stuart, PHDMC
Scott Hester, DSIWM, CO
Greg Brown, DDAGW SWDO