



Noble Road Landfill, Richland County  
OAC Rule 3745-27-10E)(7)(a) Authorization  
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You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the ground upon which the appeal is based. The appeal shall be filed with the Commission within 30 days after notice of the action. Notice of the filing of the appeal shall be filed with the Director within three (3) days after the appeal is filed with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
236 East Town Street  
Room 300  
Columbus, Ohio 43215

If you have any questions concerning this document, you may contact Mary Ann Miller of Ohio EPA, Northwest District Office at (419) 373-3060.

Sincerely,



Christopher Jones, Director

pc: Mr. Steve Schwartzwalder, Richland County Health Department  
Mr. Joe Montello, ERM  
Mr. Jay Roberts, Cherokee Run Landfill  
Mr. Jack Leow, Ohio EPA, DDAGW-NWDO  
Ms. Mary Ann Miller, Ohio EPA, DSIWM-NWDO

## Appendix

**Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(a) states, "If the owner or operator determines that the concentrations of all leachate and leachate-derived Constituents are shown to be at or below background values, using the statistical procedures described in paragraph (C)(6) of this rule for two consecutive sampling events, then the owner or operator shall request, in writing, that the director approve reinstatement of the detection monitoring program described in paragraphs (C) and (D) of this rule."**

A statistically significant increase of Chemical Oxygen Demand (COD) was observed in samples from well MW-7 during the March 29, 2001, and May 23, 2001 sampling events resulting in this well entering and remaining in assessment. Two subsequent consecutive events recorded non-detects for COD at <10 mg/L. These events occurred September 26, 2001 and March 5, 2002.

- a. **The owner/operator has provided documentation of these nondetect values of <10 mg/L recorded for COD at well MW-7 on September 26, 2001 and March 5, 2002.** These sampling events constitute two consecutive sampling events. Given this, the rationale noted in bold above **does support** a demonstration for COD at well MW-7.

Based upon the rationale presented in comment **a.** above, the **has adequately demonstrated** in accordance with OAC Rule 3745-27-10(E)(7)(a) that the concentrations of all leachate and leachate-derived constituents are shown to be at or below background values, using the statistical procedures described in paragraph (C)(6) of this rule for two consecutive sampling events pursuant to OAC Rule 3745-27-1