



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, OH 43215-1099

TELE: (614)644-3020 FAX: (614)644-2329

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

DEC 4 2002

OHIO E.P.A.
DEC - 4 2002
ENTERED CLERK OF COUR

Mr. Greg Meyer
Waste Management of Ohio, Inc.
1700 North Broad Street
Fairborn, Ohio 45324

**Re: Pinnacle Road RDF, Montgomery County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b) Authorization**

Dear Mr. Meyer:

By correspondence dated July 15, 2002, the Southwest District Office (SWDO) of the Ohio Environmental Protection Agency (Ohio EPA) received from the owner/operator of Pinnacle Road RDF (Facility) notification of a statistically significant increase of vinyl chloride in ground water monitoring well MW-9TS, and a request pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b), to reinstate detection ground water monitoring for monitoring well MW-9TS. The report was received by the Ohio EPA, SWDO on July 18, 2002.

In accordance with OAC Rule 3745-27-10(E)(7)(b), the owner or operator may demonstrate that a statistically significant change in ground water monitoring parameter(s) was not a result of leachate migration from the landfill.

A ground water demonstration dated July 15, 2002, was submitted to Ohio EPA indicating the statistically significant increase of vinyl chloride concentration in monitoring well MW-9TS was not leachate-derived, but is the result of subsurface migration of landfill gas. Ohio EPA concurs with the demonstration that the ground water contamination is not the result of a leachate impact. Pursuant to OAC Rule 3745-27-10(E)(7)(b), the owner/operator is hereby authorized to reinstate ground water detection monitoring for vinyl chloride at MW-9TS in accordance with OAC Rule 3745-27-10(D).

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owner/operator will be required to either enter into assessment monitoring, in accordance with OAC Rule 3745-27-10(E), or obtain an approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

By: *Zona L. Clement* 12/4/02
Environmental Protection Agency

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

Pinnacle Road RDF, Montgomery County
OAC Rule 3745-27-10(E)(7)(b) Approval at Monitoring Well MW-9TS
Page 2 of 2

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 (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 must be filed with the Commission within thirty (30) days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

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

If you have any questions, please contact Cheryl Allen of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



Christopher Jones
Director

cc: Tracy Buchanan, Montgomery County Health Department
Cheryl Allen, DSIWM-SWDO
Greg Brown, DDAGW-SWDO
Scott Hester, DSIWM-CO