



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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MAILING ADDRESS:

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

Smurfit-Stone Container
500 North Fourth Street
Coshocton, Ohio 43812

Attn.: Joe Bulzan

**Re: Smurfit-Stone Containers Millcreek LDF- Coshocton County
Reinstatement of Ground Water Detection Monitoring**

Dear Mr. Bulzan:

On July 30, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southeast District Office (SEDO) received a request to reinstate groundwater detection monitoring from Smurfit-Stone Container. This request was for detection monitoring well W-7LKC at the Millcreek LDF (Facility) located in Coshocton County. This request was made pursuant to Ohio Administrative Code (OAC) Rule 3745-30-08(D) (13), to reinstate this well to the detection monitoring program at the Facility.

OAC Rule 3745-30-08 (D) (13) states, in part, that the owner or operator may determine, based on the results of sampling, that there has not been an increase above background levels of waste-derived constituents at any monitoring well downgrading of the facility and request reinstatement of the detection monitoring program.

Based upon a review of the information provided, Ohio EPA concurs with the July 30, 2007, request. Therefore, pursuant to OAC Rule 3745-30-08(D)(13), Smurfit-Stone is hereby authorized to reinstate groundwater monitoring well W-7LKC back into the detection monitoring program as described in OAC Rules 3745-30-08(C) and 3745-30-08(D)(1) to (D)(8). Smurfit-Stone Container is no longer required to comply with OAC Rule 3745-30-08(D) (10) to (D) (12) and 3745-30-08(E) for monitoring well W-7LKC.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, Smurfit-Stone Container will be required to enter into assessment monitoring in accordance with OAC Rule 3745-30-08(D)(10) to (D)(12) and 3745-30-08 (E).

You are hereby notified that this action of the 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

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

JOE BULZAN
SMURFIT-STONE CONTAINER
REINSTATEMENT OF GROUND WATER DETECTION MONITORING
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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 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
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions concerning this document, please contact Dale Warner of Ohio EPA, SEDO at (740) 380-5435.

Sincerely,

Craig Butler, Chief
Southeast District Office

CB/jg

cc: Dale Warner, DSIWM-SEDO
Jane Jacobs, DDAGW-SEDO
Scott Hester, DSIWM-CO
Coshocton County Health Department