



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

December 21, 2020

Mr. Peter Lucas
District Engineer
Waste Management
2460 South Gettysburg Avenue
Dayton, Ohio 45418

Re: Pinnacle Road Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Montgomery County
MSWL019951

**Subject: Pinnacle Road Landfill, Montgomery County
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Mr. Lucas:

On October 1, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a request titled, "Statistical Analysis Program for Ground Water Quality Detection Monitoring" (Request), dated October 1, 2020. Eagon and Associates, Inc. prepared the Request on behalf of Waste Management and proposed to update the background data group representing the background water quality at ground water monitoring wells MW-9TD (chloride), MW-10AQ (sodium), MW-10TR (chloride), and MW-11TS (chloride and sodium) at Pinnacle Road Landfill located at 4220 Pinnacle Road, Dayton, Ohio.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), background data can be added only in blocks of data resulting from the analysis of four or more statistically independent samples after the data have been statistically compared to the current background data and no statistical differences are detected, unless another method is deemed acceptable to the director.

Ohio EPA has reviewed the Request and concurs that the statistically different data be added to the existing background datasets. Ohio EPA's review determined that the owner or operator has provided sufficient evidence to demonstrate that the statistically different data can be added to the existing background datasets and meets the requirements of OAC Rule 3745-27-10(C)(7)(g) in the document. Therefore, Ohio EPA approves the Request pursuant to OAC Rule 3745-27-10(C)(7)(g) at Pinnacle Road Landfill.

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 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 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
30 East Broad Street, 4th Floor
Columbus, OH 43215

If you have any questions concerning this letter, please contact Jay Cavender of Ohio EPA, SWDO at (937) 285-6448.

Sincerely,



Bonnie Buthker
Chief, Southwest District Office
for Laurie A. Stevenson
Director, Ohio EPA

ec: Michelle Ackenhausen, DMWM-SWDO
Jeremy Carroll, DMWM-CO
Thomas Hut, Public Health-Dayton & Montgomery County
Peter Lucas, Waste Management