



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

June 28, 2021

Mr. Peter Lucas, P.E.  
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 March 30, 2021, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a request titled, "Corrective Measures Ground Water Monitoring Plan" (Request), dated March 30, 2021. Eagon & Associates, Inc. prepared the Request, on behalf of Waste Management, for the Pinnacle Road Landfill. The Request proposed to update the background data group representing the background water quality at monitoring wells MW-9A for nickel and potassium, and MW-113A for ammonia at Pinnacle Road Landfill (Facility), 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 to determine if the alternative method of evaluation adequately demonstrates, in accordance with OAC Rule 3745-27-10(B)(1)(a), (C)(4), and (C)(5), that the data represents the quality of background ground water that has not been affected by past or present operations at the sanitary landfill facility. Ohio EPA concurs that the proposed background data group for monitoring wells MW-9A for nickel and potassium, and MW-113A for ammonia represents the quality of background ground water at the Facility. Therefore, pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner or operator is hereby authorized to update the background database for monitoring wells MW-9A for nickel and potassium, and MW-113A for ammonia as detailed in the Request.

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, 4<sup>th</sup> Floor  
Columbus, OH 43215

If you have any questions concerning this letter, please email 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, Stony Hollow Landfill