



State of Ohio Environmental Protection Agency

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September 24, 2009

Mr. John Butler
Rumpke Waste, Inc.
10795 Hughes Road
Cincinnati, Ohio 45251

**Re: Bond Road Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(a) Approval**

Dear Mr. Butler:

On May 22, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "*Request to Return to Detection Monitoring, Well M-2SR3, Bond Road Landfill, Hamilton County, Ohio,*" dated May 18, 2009, for the Bond Road Landfill (Facility) located in Hamilton County. This document was submitted by Eagon & Associates, Inc., on behalf of Bond Road Site, Inc., and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for chloride, sodium, and potassium in monitoring well M-2SR3 during the September 2008 ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(9)(a), the owner or operator may demonstrate that the concentration of all waste-derived constituents are at or below background values for two consecutive sampling events and request that the director approve reinstatement of the detection monitoring program.

The May 22, 2009, document indicated that the concentrations of all waste-derived constituents, including chloride, sodium, and potassium, were at or below background values for two consecutive sampling events. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(a), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well M-2SR3.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required

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

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to either enter into the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 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, Ohio 43215

If you have any questions concerning this letter, please contact Jay Cavender of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,

Jeff Hines
Acting Chief, Southwest District Office
for Chris Korleski, Director

cc: Tracy Buchanan, DSIWM-SWDO
Scott Hester, DSIWM-CO
Chuck DeJonckheere, Hamilton County Public Health