OhioEPA
State of Ohio Environmental Protection Agency

Southeast District Office

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

OHIO E.P.A.
MAR - 1 2010
ENTERED DIRECTOR'S JOURNAL
MAR 1 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Date: 3-1-10

MAR 1 2010

Rumpke Waste, Inc.
Attention: Jay Roberts
10295 Hughes Road
Cincinnati, Ohio 45251

Re: Beech Hollow Landfill, Jackson County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval

Dear Mr. Roberts:

On October 30, 2009, the Southeast District Office (SEDO) of the Ohio Environmental Protection Agency (Ohio EPA) received the sampling results and the statistical report for the August 2009 sampling event at the Beech Hollow Landfill (BHL). The report identified one statistically significant increase for chloride in monitoring well BHW-18S.

In accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(b), BHL notified the director of the significant change from background values within the required 75 days of withdrawing the sample.

On January 19, 2010, SEDO received a demonstration report for the chloride exceedence in monitoring well BHW-18S at BHL. The report concluded that the statistically significant detection for chloride in BHW-18S was the result of natural variation in ground water quality. The demonstration was reviewed by the Division of Drinking and Ground Waters (DDAGW) and the Division of Solid and Infectious Waste Management (DSIWM). Upon review, the data submitted adequately supports BHL's conclusion for the statistically significant increase of chloride in BHW-18S.

Based on the demonstration provided, the statistically significant increase for chloride in monitoring well BHW-18S reported in the 2009 second semi-annual ground water statistics report appears to be a false statistical positive. Therefore, Ohio EPA approves continuation of the detection monitoring program in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) for the well and parameter specified above.

Should future ground water sampling results indicate statistically significant increases in ground water monitoring parameters at any of the detection monitoring wells, you must either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain an approval to continue in the detection monitoring program.

You are hereby notified that this action of the 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, made payable to "Ohio Treasurer Kevin Boyce," 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 or require further assistance, please contact Mr. Daniel Bergert of Ohio EPA's Southeast District Office at 740-380-5438.

Sincerely,

Craig Butler, Chief
Southeast District Office
for Chris Korleski, Director

cc: Jackson County Health Department
Scott Hester, DSIWM, CO
SEDO-DSIWM
SEDO-DDAGW
Bruce Downard, Rumpke Waste, Inc., Beech Hollow Landfill

CB/DB/jg