



State of Ohio Environmental Protection Agency

OHIO E.P.A.

Southeast District Office

JUN 17 2010

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Logan, Ohio 43138

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ENTERED DIRECTOR'S JOURNAL
Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

JUN 17 2010

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

Kimble Clay & Limestone Co.
Attention: Keith Kimble
3596 State Route 39 NW
Dover, Ohio 44622

By: Angie Lassiter Date: 6-17-10

**RE: Kimble Sanitary Landfill, I. D. # 79-00-04, Tuscarawas County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) Approval**

Dear Mr. Kimble:

On May 19, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Southeast District Office (SEDO), received an alternate source demonstration submitted in accordance with OAC 3745-27-10(D)(7)(c)(ii) for the statistically significant increases identified during the second half 2009 sampling event, completed in December 2009, at the Kimble Sanitary Landfill. As noted in the facility's semiannual detection monitoring report submitted in February 2010, two statistically significant exceedances were observed in the second half 2009 data. Well BP-44 contained 92.1 mg/L sodium which exceeded the control chart limit of 63.2 mg/L. Well DP-34 contained 13.8 mg/L potassium which is actually below the control chart limit of 23.1 mg/L, but resulted in a CUSUM exceedance.

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

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 demonstration data submitted adequately supports the Kimble Sanitary Landfill's conclusion for the statistically significant increase.

Based on the data within the May 19, 2010 demonstration, the statistically significant increases in monitoring wells BP-44 and DP-34 and reported in the December 2009 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) for the parameters and wells specified above.

**TUSCARAWAS COUNTY
KIMBLE SANITARY LANDFILL
OAC 3745-27-10(D)(7)(c) Approval
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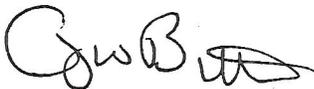
Should future ground water sampling results indicate statistically significant increases in ground water monitoring parameters at any of the detection monitoring wells, you must either enter into assessment monitoring in accordance with OAC 3745-27-10(E) or obtain an approval to continue in the detection monitoring program.

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission (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, please feel free to contact Dale Warner in the Division of Solid and Infectious Waste Management at (740) 380-5435.

Sincerely,



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

CB/CK/jg

cc: Tuscarawas County Health Department
Scott Hester, DSIWM, CO
SEDO-DSIWM
SEDO-DDAGW