



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

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This document is a true and correct copy of the  
official documents filed in the records of the Ohio  
Environmental Protection Agency.

Mr. Rod Deeds  
Tunnell Hill Reclamation  
PO Box 625  
New Lexington, OH 43764-0625

 2/28/2011

**RE: Tunnell Hill Reclamation Landfill  
Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(g) Approval**

Dear Mr. Deeds:

On August 12, 2010, the Southeast District Office (SEDO) of the Ohio Environmental Protection Agency (Ohio EPA) received a document titled *Revised Statistical Analysis Program for Groundwater Quality Monitoring*, dated August 6, 2010, for Tunnell Hill Landfill (Facility) located in Perry County. The document was submitted by Egon & Associates, Inc on behalf of Tunnel Hill Partners, pursuant to OAC Rule 3745-27-10(C)(7)(g), and requested approval to include the November 2009 result of 0.00418 mg/L arsenic into the background observation period for WBMW-16C.

A detection of 0.00418 mg/L arsenic for well WBMW-16C was an initial exceedance of background for the November 2009 sampling event. The January 2010 resample for arsenic in WBMW-16C was non-detect (<0.003 mg/L). Many of the wells (upgradient and downgradient) also showed an increase in arsenic for the November 2009 event. Therefore, the facility requests the director's approval to include the November result of 0.00418 mg/L arsenic into the background observation period for WBMW-16C. Due to the low levels of arsenic (numerous non-detects) detected in WBMW-16C, Ohio EPA concurs that the November result of 0.00418 mg/L arsenic should be included in the background period to reduce future false positives in WBMW-16C.

Pursuant to OAC Rule 3745-27-10(C)(7)(g), the owner/operator is hereby authorized to include the November 2009 result of 0.00418 mg/L arsenic into the background period for WBMW-16C. Subsequent statistical analysis should be performed as described within the August 2010 Statistical Analysis Program.

Mr. Rod Deeds  
Tunnell Hill Reclamation  
Page 2

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  
309 South Fourth Street, Room 222  
Columbus, Ohio 43215

If you have any questions or require further assistance, please contact Mr. Peter C. Thompson of Ohio EPA's Southeast District Office at 740-380-5219.

Sincerely,



Craig Butler, Chief  
District Office  
for Scott J. Nally, Director

CB/CK/jg

cc: Mr. Paul Montgomery, Perry County Health Department  
Mr. Scott Hester, DSIWM, CO  
Mr. Rich Fox, DSIWM, SEDO