



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

OHIO E.P.A.

JUN 18 2013

ENTERED DIRECTOR'S JOURNAL

CERTIFIED

June 18, 2013

Mr. Jerry Kinsella, P.G.
Rumpke Waste, Inc.
10795 Hughes Road
Cincinnati, Ohio 45251

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: My. Lester Date: 6-18-13

**RE: Rumpke Waste, Inc., Brown County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Kinsella:

On April 12, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "Demonstration Report for Ground Water Monitoring Well P-5S and Presentation of Resampling Results for P-10S" dated April 9, 2013, for Brown County Landfill (Facility) located in Brown County. This document was submitted by SCS Engineering on behalf of Rumpke Waste, Inc. It contains the ground water sampling results and the statistical analysis from the November 14, 2012 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated statistically significant change; sodium in monitoring well P-5S.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant change resulted from an error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring not later than two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The April 9, 2013 document concluded that the statistically significant change for sodium at monitoring well P-5S was due to natural variation in ground water quality, and was not a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the document dated April 9, 2013. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well P-5S.

Should future or existing ground water sampling results indicate statistically significant change in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Pat Willoughby in the Ohio EPA Southwest District Office at (937) 285-6648

Sincerely,



Bonnie Buthker
Chief, Southwest District Office
for Scott J. Nally, Director

cc: Tracy Buchanan, DMWM/SWDO
Steven Dick, Brown County Health Department