



**Environmental
Protection Agency**

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

OHIO E.P.A.

SEP 13 2012

ENTERED DIRECTOR'S JOURNAL

September 13, 2012

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.

Ray Lewis
General Manager
Cherokee Run Landfill
2946 U.S. Rt. 68
Bellefontaine, OH 43311

By: Don Cassiter Date: 9/13/12

**RE: Cherokee Run Landfill, Logan County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Lewis:

On July 31, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "*Demonstration for April 2012 Exceedances at the Cherokee Run Landfill, Bellefontaine, OH*" dated July 25, 2012 for the Cherokee Run Landfill (Facility) located in Logan County. This document was submitted by Environmental Resources Management (ERM), on behalf of Allied Waste and contains the ground water sampling results and the statistical analysis from the April 2012 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride in MW-4, MW-12, MW-22, and MW-23, and sodium in MW-23.

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 increase over background resulted from 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 July 25, 2012 document concluded that the statistically significant changes for chloride at MW-4 were due to natural variation in ground water quality, and not as a result of impact from the landfill. Increases for chloride in MW-12 and MW-22 and MW-23 and sodium in MW-23 were attributed to a source other than the landfill.

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 25, 2012 document. 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 wells MW-4, MW-12, MW-22, and MW-23.

Should future or existing ground water sampling results indicate statistically significant changes 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 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 Appeal 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 John McGinnis, Ohio EPA-SWDO at (937) 285-6449.

Sincerely,



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

cc: Tracy Buchanan, DMWM-SWDO
Craig Kauffman, Logan County Health Department
John McGinnis, DDAGW-SWDO