



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.

OCT 24 2014

WHEELING INTELLIGENCER JOURNAL

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: Jan Gassler Date: 10-24-14

OCT 24 2014

Mr. Joe Bulzan
Environmental Manager
RockTenn Company
500 North Fourth Street
Coshocton, Ohio 43812

Re: Mill Creek Ldf
Director's Authorization
Approval
Residual Solid Waste Landfills
Coshocton County
ISWL018376

**Subject: Mill Creek Landfill, Coshocton County
Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(b) Approval**

Dear Mr. Bulzan:

On July 28, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled, "Groundwater Quality Assessment November 2012 – Demonstration Addendum," dated July 24, 2014, for Mill Creek Landfill (Facility) located in Coshocton County. This document was submitted by URS Corporation, on behalf of RockTenn, pursuant to OAC Rule 3745-30-08(D)(9), and contains an Alternate Source Demonstration (ASD) Report for statistically significant changes in monitoring wells at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following significant changes were detected: calcium in monitoring wells W-5LK and W-5LKC.

Pursuant to OAC Rule 3745-30-08(D)(9), the owner or operator may demonstrate that a source other than the residual landfill facility caused the contamination, or that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation or from natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA.

The July 24, 2014 document concluded that the statistically significant changes for calcium at monitoring wells W-5LK and W-5LKC were due *natural variation in ground water quality*, and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-30-08(D)(9), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells W-5LK and W-5LKC.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-30-08(E) or obtain approval to remain in the detection monitoring program.

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

You are hereby notified that this action of the Director of Ohio EPA (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 "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 St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Erika Jackson, DMWM, SEDO at (740) 380-5228.

Sincerely,



Jim Sferra, Chief
Southeast District Office
for Craig W. Butler, Director

JS/CB/EJ/mr

cc: Rich Fox, DMWM, SEDO
Joe Laughery, DDAGW, SEDO
Zack Fanning, Coshocton County Health Department