



OHIO E.P.A.

OCT 29 2013

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

ENTERED DIRECTOR'S JOURNAL

CERTIFIED

October 29, 2013

Rod Deeds, General Manager
Tunnel Hill Reclamation, LP
P.O. Box 625
New Lexington, OH 43764

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: Jim J. Cassler Date: 10-29-13

**Re: Tunnell Hill Reclamation MSW Landfill
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Deeds:

On August 9, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled, "Statistical Analysis of Detection Monitoring Results 2013 First Semiannual Event Tunnell Hill Reclamation Landfill," dated August 8, 2013, for the Tunnell Hill Landfill (Facility) located in Perry County. This document was submitted by Eagon & Associates, Inc., on behalf of Tunnel Hill Partners, and contains the ground water sampling results and the statistical analysis from the May 29, 2013, 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 exceedances were detected: WBMW-8DR potassium, WBMW-10D chloride, and WBMW-16C ammonia.

The exceedance at WBMW-8DR was 5.47 mg/L for potassium. The exceedance at WBMW-10D was 14.2 mg/L chloride. The exceedance at WBMW-16C was 0.0857 mg/L ammonia.

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 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 within 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 August 8, 2013 document concluded that the statistically significant exceedances for potassium at monitoring well WBMW-8DR and chloride at monitoring well WBMW-10D, and ammonia in monitoring well WBMW-16C, were due to natural variation in ground water quality

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and not as a result of impact from the landfill. Monitoring wells WBMW-8DR, WBMW-10D, and WBMW-16C were sampled on May 29 and 30, 2013.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 8, 2013 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 WBMW-8DR, WBMW-10D, and WBMW-16C.

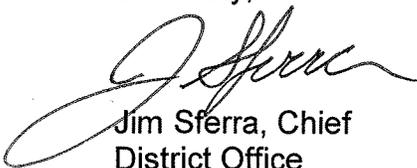
Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection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

You are hereby notified that this action of the Director of Environmental Protection Agency (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 Erika Jackson of Ohio EPA, SEDO at (740) 380-5228.

Sincerely,



Jim Sferra, Chief
District Office
for Scott J. Nally, Director

JS/EJ/mr

cc: Rich Fox, DMWM-SEDO
Ben Reed, GW-SEDO
Scott Hester, DMWM-CO
Cary Bowers, S.I.T., Perry County Health Department