



State of Ohio Environmental Protection Agency

Southwest District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

CERTIFIED MAIL

April 23, 2007

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

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

Dear Mr. Lewis:

On March 19, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "OAC 3745-27-10(D)(7)(c) "Demonstration for September 2006 Exceedances at the Cherokee Run Landfill", dated March 16, 2007, for the Cherokee Run Landfill Facility located in Logan County. This document was submitted by ERM, on behalf of Allied Waste, and contains the ground water sampling results and the statistical analysis from the September 25-29, 2006 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 monitoring well MW-9, sodium in monitoring well MW-4, and ammonia and potassium in monitoring well MW-28.

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 March 16, 2007 document concluded that the statistically significant changes for chloride in monitoring well MW-9, sodium in monitoring well MW-4, and ammonia and potassium in monitoring well MW-28 were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells MW-4, MW-9 were initially sampled on 9/27/2006. Monitoring well MW-28 was sampled on 9/26/2006.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the March 16, 2007 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-9 and MW-28.

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 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 concerning this letter, please contact Monte Bluebaum of Ohio EPA, DSIWM, SWDO at (937) 285-6647 or John McGinnis, DDAGW, SWDO at (937) 285-6449.

Sincerely,

Thomas A. Winston, Chief
Southwest District Office
for Chris Korleski, Director

cc: Tracy Buchanan, DSIWM-SWDO
Scott Hester, DSWIM-CO
Craig Kauffman, Logan County Health District
John McGinnis, DDAGW-SWDO

TAW/MB/plh