



**Environmental
Protection Agency**

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

OHIO E.P.A.

AUG 15 2011

ENTERED DIRECTOR'S JOURNAL

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Mr. John Butler
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.

Date: 8.15.2011

**Re: Bond Road Landfill, Hamilton County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Butler:

On May 10, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "Statistical Analysis for Ground-Water Detection Monitoring 2011 First Semiannual Results Bond Road Site, Inc.", dated April 29, 2011, for the Bond Road Landfill (Facility) located in Hamilton County. This document was created by Eagon & Associates, Inc., on behalf of Bond Road Site, Inc. Analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: total phenolics in monitoring wells MW-4SR, M-11R, M-14, M-17, M-18, and Z-202D.

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 document received May 10, 2011, concluded that the statistically significant changes for total phenolics at monitoring wells MW-4SR, M-11R, M-14, M-17, M-18, and Z-202D were due to lab error and not as a result of impact from the landfill.

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Ohio EPA has reviewed the applicable information and concurs with the demonstration 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-4SR, M-11R, M-14, M-17, M-18, and Z-202D.

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 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", 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
77 South High Street, 17th Floor
Columbus, OH 43215

If you have any questions concerning this letter, please contact Jay Cavender of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



Bonnie B. Buthker, Acting District Chief/SWDO
for Scott J. Nally, Director

cc: Chuck DeJonckheere, Hamilton County Public Health