



**Environmental  
Protection Agency**

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

OHIO E.P.A.

OCT 18 2011

ENTERED DIRECTOR'S JOURNAL

October 18, 2011

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

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: Dmya Casser Date: 10-18-11

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

Dear Mr. Lewis:

On August 18, 2011 the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO), received a document titled "*Demonstration for March 2011 Exceedances at Cherokee Run Landfill, Bellefontaine, OH*" dated August 17, 2011. This document was submitted by Environmental Resources Management (ERM), on behalf of Allied Waste, and contains a request pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii) to allow specific ground water monitoring wells at the Facility to remain in the detection monitoring program despite statistically significant changes detected during the March 2011 semi-annual sampling event. Resampling occurred in May 2011.

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-9, MW-22, and chloride 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 landfill caused the contamination, or that the statistically significant increase over background resulted from error in sampling, analysis, 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.

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The August 17, 2011 document concluded that the statistically significant changes for chloride in MW-4 and MW-9 were due to natural variation in ground water quality, and not as a result of impact from the landfill. Increases for chloride in MW-22 and sodium and chloride in MW-23 were attributed to road salting and not as a result of impact from the landfill. Monitoring wells MW-4, MW-9, MW-22, and MW-23 were originally sampled on March 22-April 1, 2011.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 17, 2011 document for chloride in MW-4, MW-9, MW-22, and chloride and sodium in MW-23. 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, MW-22, and MW-23. Should future or existing ground water sampling results indicate statistically significant changes in the 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 detection monitoring program.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission (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 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 Appeal Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street  
17<sup>th</sup> Floor  
Columbus, Ohio 43215

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If you have any questions, concerning this letter, please contact John McGinnis of the Ohio EPA, SWDO at (937) 285-6449.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bonnie Buthker".

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

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