



**Environmental  
Protection Agency**

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

OHIO E.P.A.

APR 27 2012

ENTERED DIRECTOR'S JOURNAL

April 27, 2012

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.

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

By: Donna Kasich Date: 4-27-12

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

Dear Mr. Deeds:

On February 2, 2012, 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 2011 Second Semiannual Event Tunnell Hill Reclamation Landfill," dated January 31, 2012, for the Tunnel 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 November 2011, 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: MW-3A barium, WBMW-10A barium and chloride, and WBMW-16C cobalt and nickel.

Re-sampling on December 29, 2011, confirmed these exceedances. The initial result for barium at MW-3A was 0.123 mg/L and the resample result was 0.117 mg/L. The initial exceedances at WBMW-10A were 0.0858 mg/L barium and 167 mg/L chloride and the resample result for barium was 0.0787 mg/L. The resample results for chloride in WBMW-10A (154 mg/L) did not confirm the original exceedance. The initial exceedances at WBMW-16C were 0.127 mg/L cobalt and 0.0685 mg/L nickel. The resample results for WBMW-16C were 0.113 mg/L cobalt and 0.0609 mg/L nickel.

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 January 31, 2012 document concluded that the statistically significant exceedances for barium at monitoring well MW-3A and WBMW-10A, and cobalt and nickel in monitoring well WBMW-16C, were due to natural variation in ground water quality and not as a result of impact from the landfill. Monitoring wells MW-3A, WBMW-10A, and WBMW-16C were initially sampled on November 21 and 22, 2011.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the January 31, 2012 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-3A, WBMW-10A, 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, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

Perry County  
Tunnel Hill Reclamation, LP  
Page 3 of 3

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/sb

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