



**Environmental
Protection Agency**

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

OHIO E.P.A.

DEC 14 2011

ENTERED DIRECTOR'S JOURNAL



December 14, 2011

Tremont Landfill Company
c/o Mr. Tom Danis
The Greene
70 Birch Alley, Suite 246
Beavercreek, Ohio 45440

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: Janice Cassiter Date: 12-14-11

**Re: Tremont Landfill, Clark County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Danis:

On October 24, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "Request to Reinstate Detection Monitoring Status for Well MW-1R," dated October 21, 2011, for the Tremont Landfill (Facility) located in Clark County. This document was submitted by Civil & Environmental Consultants, Inc. (CEC, Inc.), pursuant to OAC Rule 3745-27-10(E)(9)(b). In this document, Tremont Landfill Company requested reinstatement of the ground water detection monitoring program for a specific monitoring well at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program. The ground water quality assessment program was previously implemented due to the detection of statistically significant changes for selenium in monitoring well MW-1R during the June 7, 2011 ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 from natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program. The October 21, 2011 document concluded that the statistically significant change for selenium at monitoring well

MW-1R was due to a revision of background practical quantitation limit (PQL), and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring well in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well MW-1R.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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 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 St., 17th Floor
Columbus, Ohio 43215

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If you have any questions concerning this letter, please contact Maria Lammers of Ohio EPA, SWDO at 937-285-6046.

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
Anne Kaup-Fett, Clark County Combined Health District