



**Environmental
Protection Agency**

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

OHIO E.P.A.

APR 16 2012

ENTERED DIRECTOR'S JOURNAL

April 16, 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.

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

By: Jordan Lassiter Date: 4-16-12

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

Dear Mr. Lewis:

On February 8, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "*Demonstration for September 2011 Exceedances at Cherokee Run Landfill, Bellefontaine, Ohio*," dated February 7, 2012, for the Cherokee Run Landfill (Facility) located in Logan County. This document was submitted by Environmental Resources Management (ERM), on behalf of Allied Waste, and contains the ground water sampling results and the statistical analysis from the September 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 changes were detected: chloride in monitoring wells MW-4, MW-9, MW-12 and MW-22; and chloride and sodium in monitoring well 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 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 not later than 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 February 7, 2012 document concluded that the statistically significant changes for chloride at monitoring wells MW-4 and MW-9 were due to natural variation in ground water quality, and not as a result of impact from the landfill. The same document further concluded that the statistically significant changes for chloride in MW-12 and 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-12, MW-22 and MW-23 were initially

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sampled during the week of September 19, 2011.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the February 7, 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-4, MW-9, MW-12, MW-22 and MW-23.

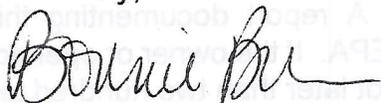
Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the Director of Environmental Protection (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 St., 17th Floor
Columbus, Ohio 43215

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

Sincerely,



Bonnie Buthker, Chief
for Scott J. Nally, Director

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