



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott L. Lally, Director

OHIO E.P.A.
JUL 17 2012
ENTERED DIRECTOR'S JOURNAL

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Effective Date: July 17, 2012

Expiration Date: October 15, 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.

Ray Lewis, Landfill Manager
Cherokee Run Landfill, Inc.
2946 U.S. 68 North
Bellefontaine, OH 45311

By: Scott Lally Date: 7-17-12

**RE: Cherokee Run Landfill, Logan County
Authorization for Temporary Storage of Leachate**

Dear Mr. Lewis:

On June 8, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a request from Ray Lewis, Landfill Manager of Cherokee Run Landfill, Inc. (Cherokee), pursuant to Ohio Administrative Code (OAC) Rule 3745-27-19(K)(4), to temporarily store leachate within the limits of waste placement at the Cherokee Run Landfill (Facility), located in Logan County. As part of the vertical expansion of the landfill, leachate side slope risers must be relocated and valve vaults extended. This process is expected to take seven (7) days or less for each cell. During that time, the leachate removal system being modified will be taken out of operation. This portion of the improvements will affect sumps and vaults associated with Cells 3B, 5/7, and 8.

Based upon review of the request and associated information and pursuant to OAC Rule 3745-27-19(K)(4), I hereby authorize Cherokee Run Landfill, Inc. to temporarily store leachate within the limits of waste placement at the Facility. This authorization is subject to the following conditions:

CONDITIONS

1. This authorization to temporarily store leachate within the limits of waste placement shall expire ninety (90) days after the effective date of this authorization.
2. This authorization is limited to Cells 3B, 5/7, and 8.
3. Cherokee Run Landfill, Inc. shall notify Ohio EPA, SWDO, DMWM not later than twenty-four hours prior to the leachate removal system being taken out of operation.
4. The leachate removal system shall not be taken out of operation for more than seven (7) consecutive days, unless otherwise authorized in writing by Ohio EPA.
5. Nothing in this authorization shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This authorization shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
6. Issuance of this authorization does not constitute expressed or implied agreement that the operation of the Facility in accordance with this authorization will constitute compliance with applicable state and federal laws, rules and regulations, nor does issuance of this authorization ensure that necessary operating permits or licenses will be granted.

END OF CONDITIONS

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

Ray Lewis
Cherokee Run Landfill
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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 Russ Brown of Ohio EPA, SWDO at (937) 285-6649.

Sincerely,



Scott J. Nally
Director

MA/SH/jam

cc: Scott Hester, DMWM-CO
Russ Brown, DMWM-SWDO
Logan County Health District