



State of Ohio Environmental Protection Agency

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DEC 3 2002

Mr. Jerry Kinsella
Rumpke Waste, Inc.
10795 Hughes Road
Cincinnati, Ohio 45251

OHIO E.P.A.
DEC - 3 2002
ENTERED DIRECTOR'S JO
VAL

**RE: Brown County Landfill, Brown County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b) Approval**

Dear Mr. Kinsella:

By written correspondence to the Ohio Environmental Protection Agency (Ohio EPA), Southwest District Office (SWDO) dated February 22, 2000, Rumpke Waste, Inc. reported a statistically significant increase of chloride in ground water monitoring well P-9S at the Brown County Landfill. An assessment plan for monitoring well P-9S was submitted to Ohio EPA, SWDO on May 8, 2000.

In accordance with OAC Rule 3745-27-10(E)(7)(b), the owneroperator may demonstrate that the statistically significant change resulted from error in sampling, analysis, statistical evaluation, or natural variation in ground water quality. Upon such a determination by the Director, the Director may reinstate the ground water detection monitoring program as described in OAC Rule 3745-27-10(D).

Ohio EPA, SWDO received a ground water demonstration dated June 27, 2002, which served as notification to the Director that a statistically significant increase occurred for chloride at monitoring well P-9S. Upon review of the demonstration, Ohio EPA concurs that the chloride exceedance in P-9S is not a result of leachate impact.

Pursuant to OAC Rule 3745-27-10(E)(7)(b), I hereby approve the June 27, 2002, demonstration for reinstatement of the ground water detection monitoring program for chloride at monitoring well P-9S at the Brown County Landfill. Upon the effective date of this approval, the owneroperator is not required to comply with OAC Rule 3745-27-10(E) for chloride at monitoring well P-9S.

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owneroperator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain an approval to remain in the detection monitoring program in accordance with OAC Rule 3745-27-10(D)(7)(c).

for the purpose of being a...
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12/3/02
Maureen O'Connor

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

Brown County Landfill, Brown County
OAC Rule 3745-27-10(E)(7)(b) Authorization
Page 2 of 2

You are hereby notified that this action of the Director of Environmental Protection 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 ground 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. A copy of the appeal must be served on the director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

If you have any questions concerning this document, please contact Cheryl Allen of Ohio EPA, SWDO at (937) 285-6357.

Sincerely,



Christopher Jones
Director

cc: Steve Dick, Brown County Health Department
Cheryl Allen, DSIWM-SWDO
Jay Cavender, DDAGW-SWDO
Scott Hester, DSIWM-CO