

Traley - SWDO



RECEIVED OHIO EPA

State of Ohio Environmental Protection Agency OCT 24 2006

401 East Fifth Street
Dayton, Ohio 45402-2911

Southwest District
TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

SOUTHWEST DISTRICT
Bob Taft, Governor
Bruce Johnson, Lt. Governor
Joseph P. Koncinski, Director

CERTIFIED MAIL

OCT 20 2006

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

OHIO E.P.A.
OCT 20 2006
ENTERED DIRECTOR'S JOURNAL

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

Dear Mr. Lewis:

On July 19, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "OAC 3745-27-10(D)(7)(c) Demonstration for March 2006 Exceedances at Cherokee Run Landfill, for the Cherokee Run Landfill, Logan County, Bellefontaine, Ohio". This document, dated July 18, 2006, was submitted by the consulting firm of ERM on behalf of Cherokee Run Landfill, and contains the ground water sampling results and the statistical analysis from the March 2006, ground water sampling event at the facility.

According to the document, analysis of the ground water detection monitoring data indicated the following statistically significant changes were detected: sodium (17 mg/l), chloride (5.8 mg/l) and ammonia (0.28 mg/l) in monitoring well MW-4; chloride (5.8 mg/l) in monitoring well MW-9; chloride (30 mg/l) in monitoring well MW-12; ammonia (0.28 mg/l) in monitoring well MW-21; chloride (29 mg/l) in monitoring well MW-22; ammonia (0.24 mg/l) in monitoring well MW-25 and chloride (3.0 mg/l) in monitoring well MW-26.

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 was submitted to Ohio EPA with the July 18, 2006 document.

The July 18, 2006 document concluded that the statistically significant changes for sodium (17 mg/l), chloride (5.8 mg/l) and ammonia (0.28 mg/l) in monitoring well MW-4; chloride (5.8 mg/l) in monitoring well MW-9; chloride (30 mg/l) in monitoring well MW-12; ammonia (0.28 mg/l) in monitoring well MW-21; chloride (29 mg/l) in monitoring well MW-22; ammonia (0.24 mg/l) in

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency
Michael Ashboro 10/20/06
Ohio EPA is an Equal Opportunity Employer

LEWIS2.TAW.WPD

monitoring well MW-25 and chloride (3.0 mg/l) in monitoring well MW-26 was the result of natural variation in ground water quality, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 18, 2006 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the Cherokee Run Landfill is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MW-4, MW-9, MW-12, MW-21, MW-22, MW-25 and MW-26.

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 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact John McGinnis of Ohio EPA, DDAGW at (937) 285-6117.

Sincerely,



Thomas A. Winston, P.E.
Chief, Southwest District Office
for Joseph P. Koncelik
Director, Ohio Environmental Protection Agency

cc: Craig Kauffman, Logan County Health District
Monte Bluebaum DSIWM, SWDO

TAW/br