



State of Ohio Environmental Protection Agency

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

**Re: Cherokee Run Landfill, Logan County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(a) Approval**

Dear Mr. Lewis:

On December 21, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "Request for Reinstatement of Detection Monitoring in MW-11 per OAC 3745-27-10(E)(9)(a)," dated December 19, 2006, for the Cherokee Run Landfill (Facility) located in Logan County. This document was submitted by ERM, on behalf of Cherokee Run Landfill, pursuant to OAC Rule 3745-27-10(E)(9)(a), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for Arsenic and Chloride in monitoring well MW-11 during the September 2002 ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(9)(a), the owner or operator may determine that the concentrations of **all waste-derived constituents** at all of the monitoring wells in a ground water quality assessment monitoring program, and at any additional wells that may have been installed as part of this assessment monitoring program, are shown to be at or below background values for two consecutive sampling events and may request that the director approve reinstatement of the ground water detection monitoring program for the monitoring wells and release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program requirements at the Facility.

Based on the information contained in the request, the results of three consecutive sampling events, conducted on September 5, 2005, March 6, 2006 and September 6,

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

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2006 indicate that the concentrations of all waste-derived constituents, including Arsenic and Chloride were at or below background values using the statistical procedures described in paragraph OAC Rule 3745-27-10(C)(6). Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(a), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells 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-11.

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 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

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If you have any questions concerning this letter, please contact Monte Bluebaum of Ohio EPA (SWDO-DSIWM) at (937) 285-6647 or John McGinnis (SWDO-DDAGW) of Ohio EPA at (937) 285-6449

Sincerely,

Thomas A. Winston, P.E.  
Chief, Southwest District Office  
for Chris Korleski, Director

cc: Tracy Buchanan, Supervisor, DSIWM-SWDO  
Scott Hester, CO PEU Supervisor, DSWIM-CO  
Craig Kauffman, Logan County Logan County Health District  
Tom Brunelle, CPG, Project Manager, ERM

TAW/MB/ca