



State of Ohio Environmental Protection Agency

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December 6, 2007

Mr. Michael Holmes  
Regus Industries, LLC  
2730 Transit Road  
West Seneca, NY 14224

**Re: Sunny Farms Landfill, Seneca County  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Holmes:

On October 29, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "*Statistical Analysis of Groundwater Quality Data May 2007 Semiannual Detection Monitoring Event*," dated October 26, 2007, for the Sunny Farms Landfill, located in Loudon Township, Seneca County, Ohio. This document was submitted by Burgess and Niple on behalf of the owner/operator, and contains the ground water sampling results and the statistical analysis from the May 2007 ground water sampling event at the Facility.

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 from natural variation in ground water quality and request that the director approve continuation of the detection monitoring program.

The October 26, 2007 document concluded that the statistically significant change for sodium at monitoring well MP1B was due to a natural variation in ground water quality during the May 16, 2007 semi-annual sampling event, and the October 9, 2007 confirmation sampling event, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and has determined that the owner or operator has demonstrated that the statistically significant increase in sodium was due to a natural variation in ground water quality. 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 well MP1B.

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

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.

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

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 Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,

Shannon Nabors, Chief  
Northwest District Office  
for Chris Korleski, Director

pc: John Walker, Sunny Farms Landfill, LLC  
Nicki Rumschlag, Seneca County Health Department  
Eric Van Heyde, Civil & Environmental Consultants  
Carl Mussenden, DSIWM, CO  
NWDO File: Seneca County, Sunny Farms Landfill, Groundwater

ec: Jack Leow, DDAGW, NWDO  
Habib Kaake, DSIWM, NWDO  
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