



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

FEBRUARY 7, 2020

Nick Kasper
Buckeye Power, Inc
6677 Busch Boulevard
Columbus, Ohio 43229

Re: Cardinal RSW Landfill
Director's Authorization
Approval
Residual Solid Waste Landfills
Jefferson County
RSWL018783

**Subject: Cardinal RSW Landfill, Jefferson County
Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(b) Approval**

Dear Mr. Kasper:

Ohio EPA FEB 7 '20
Entered Directors Journal

On March 6, 2019, the Ohio Environmental Protection Agency (EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received the document titled *M-10 Demonstration Report*. This document was submitted for the Cardinal Operating Company, FAR 1 Residual Waste Landfill (Facility) in Jefferson County, Ohio. The report was prepared by Sanborn Head and Associates on behalf of Buckeye Power, Inc. (Buckeye Power) and contains an Alternate Source Demonstration for groundwater monitoring well M-10.

Pursuant to OAC Rule 3745-30-08(D)(9)(b), the owner or operator may demonstrate that a source other than the 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 approval from the Director of Ohio EPA (Director). The owner or operator shall comply with paragraphs (D)(8) to (D)(12) of this rule until the demonstration report is approved.

The submitted report concluded that the statistically significant change for molybdenum at well M-10 was the result of natural variation in groundwater quality and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-30-08(D)(9)(b), I hereby authorize monitoring well M-10 to return to groundwater detection monitoring.

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 3745-30-08(E) or obtain approval to remain in the detection monitoring program.

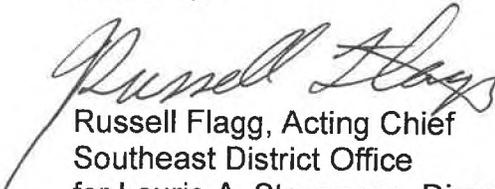
This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

You are hereby notified that this action of the Director 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 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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Steve Lowry, DMWM, SEDO at (740) 380-5231.

Sincerely,


Russell Flagg, Acting Chief
Southeast District Office
for Laurie A. Stevenson, Director

RF/SL/mr

ec: Nick Kasper, Buckeye Power, Inc
Carla Gampolo, Jefferson County General Health District
Joseph Goicochea, DMWM, SEDO
Steve Lowry, DMWM, SEDO
Nathan Johnson, DMWM, SEDO
Scott Sutliff, DMWM, CO