



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Ohio E.P.A.
Craig W. Butler, Director

JUN 23 2015

REGISTERED DIRECTOR'S JOURNAL

JUN 23 2015

Keith Kimble
Kimble Clay & Limestone Co.
3596 State Route 39 NW
Dover, Ohio 44622

Re: Kimble Sanitray Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Tuscarawas County
MSWL018778

**Subject: Kimble Sanitary Landfill, Tuscarawas County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Kimble:

On May 11, 2015 the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a document titled "Alternate Source Demonstration for Ammonia at Significant Zone of Saturation Monitoring Well DP-31A (Dundee) and Chloride at Uppermost Aquifer System Monitoring Well DP-30 (Logan Formations)," dated May 8, 2015, for Kimble Sanitary Landfill (Facility) located in Tuscarawas County. This document was submitted by Civil And Environmental Consultants, Inc. on behalf of Kimble Sanitary Landfill, pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 ammonia and chloride in monitoring wells DP-31A and DP-30, respectively, during the November 5, 2015 ground water sampling event at the Facility.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 reinstatement of the detection monitoring program.

The May 8, 2015 document concluded that the statistically significant changes for ammonia and chloride at monitoring wells DP-31A and DP-30, respectively, were due to laboratory and/or field error, 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 3745-27-10(E)(9)(b), 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

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obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring wells DP-31A and DP-30.

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 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
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Nathan Johnson, DMWM, SEDO at 740-380-5439.

Sincerely,



Marcus J. Glasgow, Acting Chief
Southeast District Office
for Craig W. Butler, Director

MJG/NJ/mr

cc: Rich Fox, DMWM, SEDO
Steve Lowry, DDAGW, SEDO
Mike Chek, Tuscarawas County Health Department