



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.

OCT - 7 2016

ENTERED DIRECTOR'S JOURNAL

OCTOBER 7, 2016

Mr. Nathan Taylor
Environmental Manager
Cherokee Run Landfill
2946 US Route 68 N
Bellefontaine, Ohio 43311

Re: Cherokee Run Landfill
Director's Authorization
Approval
Municipal Solid Waste Landfills
Logan County
MSWL018815

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

Dear Mr. Taylor:

On August 18, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a document titled "Alternate Source Demonstration Pursuant to OAC Rule 3745-27-10(D)(7)(c) for March 2016 Statistical Exceedances Cherokee Run Landfill; Bellefontaine, Ohio, CEC Project 122-282," dated August 18, 2016, for Cherokee Run Landfill (Facility) located in Logan County. This document was submitted by Civil & Environmental Consultants, Inc., on behalf of Republic Services, Inc., and contains the ground water sampling results and the statistical analysis from the March 21, 2016 ground water sampling event at the Facility.

The analysis of the ground water detection monitoring data included in the document indicates that the following statistically significant changes were detected: chloride at monitoring wells MW-4, MW-9 and MW-12.

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 must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring not later than two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC rule 3745-27-10(E) for ground water quality assessment monitoring.

As demonstrated in the August 18, 2016 document, the statistically significant changes for chloride in monitoring wells MW-4, MW-9 and MW-12 were due to natural variation in ground water quality and/or seasonal deicing practices, and not as a result of impact from the landfill. Monitoring wells MW-4, MW-9 and MW-12 were initially sampled on March 21, 2016.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the August 18, 2016 document. 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 wells MW-4, MW-9 and MW-12.

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 Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. 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 action, please contact Jill Olberding, DMWM, SWDO at (937)285-6094.

Sincerely,



Bonnie Buthker, Chief
Southwest District Office
for Craig W. Butler, Director

ec: Michelle Ackenhausen, DMWM, SWDO
Craig Kauffman, Logan County Health District
John McGinnis, DDAGW, SWDO
Nathan Taylor, Cherokee Run Landfill
Nicholas A. Bohland, CEC