



State of Ohio Environmental Protection Agency

Northeast District Office

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OHIO E.P.A.

APR - 1 2010  
Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director  
ENTERED DIRECTOR'S JOURNAL

APR 1 2010

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mike Heher  
Division Manager  
Carbon Limestone Landfill LLC  
8100 South Stateline Road  
Lowellville, OH 44436

By: Chris Korleski Date: 4-1-10

**RE: BFIO CLD/Lewis Landfill, Mahoning County  
Ohio Administrative Code (OAC) Rule 374527-10(D)(7)(c)(ii) Approval**

Dear Mr. Heher:

On March 4, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Demonstration Report for Detection Monitoring Well MW-115C and MW-2R – October 2009 Annual Monitoring Event SSIs," dated February 28, 2010, for the County Land Development Landfill LLC (Facility) located in Mahoning County. This document contains the ground water sampling results and the statistical analysis from the October 27-28, 2009 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: sodium in monitoring well MW-115-C and chloride in monitoring well MW-2R.

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 within 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.

The February 28, 2010 document concluded that the statistically significant changes for sodium in monitoring well MW-115-C and chloride in monitoring well MW-2R were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells MW-115C and MW-2R were initially sampled on October 27, 2009.

Mike Heher  
Carbon Limestone Landfill LLC  
Page 2

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the February 28, 2010 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-115C and MW-2R.

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 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 "Ohio Treasurer Kevin Boyce," 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, OH 43215

If you have any questions concerning this letter, please contact Katharina Snyder of Ohio EPA, NEDO at (330) 933-1257.

Sincerely,



William Skowronski  
Chief, Northeast District Office  
for Chris Korleski  
Director, Ohio EPA

WS/CK/KS/cl

cc: Lynn Sowers, DSIWM-NEDO  
Scott Hester, DSWIM-CO  
Mary Helen Smith, Mahoning County Health Department