



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

2011 JAN -6 P 1:09

JAN 06 2011

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.

Mr. Chris Jaquet
BFI-Lorain County II Landfill
43502 Oberlin-Elyria Rd.
Oberlin, Ohio 44074

Date: 1/6/2011

**RE: BFI LORAIN COUNTY II LANDFILL, LORAIN COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(E)(9)(b) APPROVAL**

Dear Mr. Jaquet:

On October 8, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled "*Submittal of OAC Rule 3745-27-10(D)(7)(c)(ii) Demonstration that Statistical Exceedances for Ammonia at Wells MW-203, MW-210D, and MW-210I, and Chloride and Sodium at Well MW-211S are not a Result of Landfill Activities, BFI - Lorain County II Landfill, Oberlin, Ohio*" dated October 7, 2010, for the Lorain County II Landfill (Facility) located in Lorain County. The document was submitted by Brown and Caldwell, on behalf of BFI Lorain County II Landfill and contains the statistical analysis for samples collected during the May 20, 2010 sampling event and the June 24, 2010 re-sampling event. The document contains a demonstration to release BFI Lorain County II Landfill from the obligation to comply with the ground water quality assessment monitoring program due to the detection of statistically significant changes for contaminants detected in certain monitoring wells. Since the 210-day deadline for approval expired on November 29, 2010, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

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 October 7, 2010 report indicates that during the May 2010 sampling event, monitoring well MW-203 had triggered for ammonia (1.0 mg/L), MW-210I triggered for ammonia (0.49 mg/L), MW-210D also triggered for ammonia (1.0 mg/L), and MW-211S triggered for sodium (41 mg/L) and chloride (80 mg/L). Verification sampling was

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performed in June 2010, and re-sample concentrations were reported at similar concentrations, still slightly above the prediction limits. The June re-sample results confirmed the exceedances for all three parameters. The prediction limit for ammonia at MW-203 and MW-210D is 0.88 mg/L, ammonia at MW-210I is 0.48 mg/L, and sodium and chloride at MW-211S is 40 mg/L and 54 mg/L, respectively.

The October 7, 2010 document concluded that the statistically significant changes for ammonia at monitoring wells MW-203, MW-210D, and MW-210I, were due to natural variation, and the statistically significant changes for chloride and sodium at monitoring well MW-211S were due to the influence of road salt, 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 the reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program noted above and release BFI Lorain II Landfill from the obligation to comply with the assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring wells MW-203, MW-210D, MW-210I, and MW-211S.

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 is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 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:

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Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Clarissa Gereby of Ohio EPA, NEDO at 330-963-1224.

Sincerely,



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

WS/CK/CG/cl

cc: Joe Montello, Allied Waste
Joe Warburton, Brown and Caldwell Ohio, LLC
John Sabo, Lorain County Health Department
Scott Hester, DSIWM-CO
Jennifer Kurko, DSIWM-NEDO
Project ID # 3547