



OHIO E.P.A.

NOV 18 2014

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

ENTERED DIRECTOR'S JOURNAL

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Re: BFI CLD Landfill LFG Power Station  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Mahoning County  
MSWL019386

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

**Subject: BFI CLD Landfill LFG Power Station, Mahoning County  
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Heher:

On September 12, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office, (NEDO) received a document titled "OAC Rule 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration," dated September 10, 2014, for BFI CLD Landfill LFG Power Station (Facility) located in Mahoning County. This document was submitted by Eagon and Associates, Inc., on behalf of BFI CLD Landfill LFG Power Station. The document contains the ground water sampling results and the statistical analysis from the May and July 2014 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: chloride in monitoring wells MW-2R and MW-18C; nickel in monitoring well MW-121C.

Pursuant to Ohio Administrative Code (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.

The September 10, 2014, document concluded that the statistically significant changes for chloride in monitoring wells MW-2R and MW-18C and nickel in monitoring well MW-121C were due to natural variation in ground water quality and not as a result of impact from the landfill. Monitoring wells MW-2R, MW-18C, and MW-121C were initially sampled in May and July 2014. Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 10, 2014, 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-2R, MW-18C, and MW-121C.

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., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this action, please contact Katharina Snyder, NEDO, DMWM at (330) 963-1257.

Sincerely,



Kurt Princic, Chief  
Northeast District Office  
for Craig W. Butler, Director

KP:KS:cla

cc: Lynn Sowers, Ohio EPA, NEDO, DMWM  
Mary Helen Smith, Mahoning County Health Department