



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

June 8, 2012

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

M. Shapiro 6/8/2012

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

Dear Mr. Jaquet:

On April 18, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), 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 and MW-210D, and for Chloride and Sodium at Well MW-211S are not a Result of Landfill Activities,*" dated April 17, 2012 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 an alternate source demonstration pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii) for verified ammonia triggers in ground water samples from detection wells MW-203 and MW-210D, and verified chloride and sodium triggers in ground water samples from detection well MW-211S.

The wells were originally sampled in October 2011 with resamples collected in December 2011. The document contains a demonstration to release BFI Lorain 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 May 7, 2012, Ohio EPA has reviewed this request pursuant to OAC Rule 3745-27-10(E)(9)(b).

The BFI Lorain County II Landfill ground water monitoring program is regulated by Ohio Administrative Code (OAC) Rule 3745-27-10, effective August 15, 2003.

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.

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The April 18, 2012 report indicates that during the October 2011 sampling event, monitoring well MW-203 had triggered for ammonia (0.91 mg/L), MW-210 had also triggered for ammonia (0.94 mg/L), and MW-211S had triggered for chloride (79 mg/L) and sodium (56 mg/L). Verification sampling was performed in December 2011 and re-sample concentrations were reported at similar concentrations, still slightly above the prediction limits. The December 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, and sodium and chloride at MW-211S is 40 mg/L and 54 mg/L, respectively.

The April 18, 2012 document concluded that the statistically significant changes for ammonia at monitoring wells MW-203 and MW-210D 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 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 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,

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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 Street, 17th Floor
Columbus, Ohio 43215

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

Sincerely,



Kurt M. Princic
Chief, Northeast District Office
for Scott J. Nally
Director, Ohio EPA

KMP/SJN/CG/cl

cc: Joe Montello, Allied Waste
Joe Warburton, Brown and Caldwell Ohio, LLC
John Sabo, Lorain County Health Department
Scott Hester, DMWM-CO
File: [Sowers/Land/Lorain II Landfill/ AUT/47]
DMWM #4463