



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

OHIO E.P.A.

DEC - 1 2014

ENTERED DIRECTOR'S JOURNAL

DEC 01 2014

Mr. Butch Bradburn  
 Environmental Manager  
 Republic Services, Inc.  
 5092 Aber Road  
 Williamsburg, OH 45176

Re: BFI – Willow Creek Landfill  
 Director's Action  
 Non-Approval  
 Municipal Solid Waste Landfills  
 Portage County  
 MSWL019376

**Subject: Browning-Ferris Industries Willowcreek Landfill, Portage County  
 Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c) Non-Approval**

Dear Mr. Bradburn:

On August 29, 2014, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a document titled "OAC 3745-27-10(D)(7)(c) Alternate Source Demonstration for MW-4" dated August 28, 2014, for the Browning-Ferris Industries of Ohio Willowcreek Landfill (Facility) located in Portage County. This document was submitted by Environmental Resources Management, on behalf of Republic Services, Inc. pursuant to OAC Rule 3745-27-10(D)(7)(c), and requested continuation of the ground water detection monitoring program for a specific monitoring well at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program. The following statistically significant changes were detected during the March 17, 2014, semiannual ground water sampling event at the Facility: chloride and sodium in monitoring well MW-4.

Pursuant to OAC Rule 3745-27-10(D)(7)(c), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant changes resulted from error in sampling, analysis, or statistical evaluation, or from natural variation in ground water quality, and request that the director approve continuation of the detection monitoring program.

The August 28, 2014 document concluded that the statistically significant changes in chloride and sodium at monitoring well MW-4 were due to natural variability of the ground water conditions at the Facility rather than from landfill constituent migration. Ohio EPA has reviewed the August 28, 2014 document and has determined that the owner or operator has not provided sufficient evidence to demonstrate that the statistically significant changes in chloride and sodium at monitoring well MW-4 were from a source other than the sanitary landfill facility; due to an error in sampling, analysis, or statistical evaluation; or from natural variation in ground water quality. Ohio EPA concluded the following:

- Detected constituents have slowly increased over the years in monitoring well MW-4. This represents a long term trend and not natural variability, as proposed by Republic Services, Inc. for the statistically significant changes.
- Leachate is mixing with, and impacting, the ground water at monitoring well MW-4.
- Sodium and chloride, the two detected constituents, have been previously determined to be waste-derived constituents at the Facility. Three compliance monitoring wells include sodium and chloride as part of the compliance monitoring program. This provides additional support that the SSI from monitoring well MW-4 is a result of a waste-derived release.

Therefore, I cannot approve continuation of ground water detection monitoring at monitoring well MW-4. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

You are hereby notified that this action of the Director of Ohio EPA (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 "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

A detailed account of Ohio EPA's review of the August 28, 2014 document will be sent to you in separate correspondence.

If you have any questions concerning this letter, please contact Jerry W. Weber, DMWM, NEDO at (330) 963-1274.

Sincerely,



Craig W. Butler  
Director

CWB/JW/ams

cc: Jarnal Singh, Ohio EPA, NEDO, DMWM  
DuWayne Porter, Portage County Health Department