



**Environmental
Protection Agency**

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

OHIO E.P.A.

JUN 26 2012

June 26, 2012

Mike Heher
CLD/Lewis Landfill
8100 South Stateline Road
Lowellville, OH 44436

ENTERED DIRECTOR'S JOURNAL

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.

Date: 6.26.2012

**RE: CLD/LEWIS LANDFILL, MAHONING COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(E)(9)(b) APPROVAL**

Dear Mr. Heher:

On April 6, 2012, 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) Demonstration Report MW-110C Supplemental Information for the October 2011 Monitoring Event SSI," dated April 6, 2012, for the CLD/Lewis Landfill (Facility) located in Mahoning County. This document was submitted by Silbaugh Hydrogeological Services on behalf of CLD/Lewis Landfill, and contains the ground water sampling results and the statistical analysis from the October 18, 2011 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 well MW-110C.

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 April 6, 2012 document concluded that the statistically significant changes for chloride in monitoring well MW-110C were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells were initially sampled on October 18, 2011.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the April 6, 2012 document. However, the two hundred ten (210) days from initial sampling expired on May 15, 2012. Therefore, this authorization is hereby issued pursuant to OAC Rule 3745-27-10(E)(9)(b), which states the owner or operator may

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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 owner or operator shall continue the detection monitoring program at the Facility for monitoring well MW-110C.

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 Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,



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

KMP/SJN/KS/cl

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