



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, OH 432151099

TELE (614)644-3020 FAX: (614)644-2329

MAILING ADDRESS

PO, Box 1049
Columbus, OH 43216-1049

DEC 16 2002

David Smith
Browning Ferris Industries of Ohio, Inc.
8100 S. Stateline Road
Lowellville, Ohio 44436

David Smith 12/16/02

OHIO E.P.A.
DEC 16 2002
DIRECTOR'S JOURNAL

RE: BFI CLD-Lewis Landfill, Mahoning County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b) Approval

Dear Mr. Smith:

By correspondence dated June 5, 2001, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received from the owner/operator of the BFI CLD-Lewis Landfill (Facility) notification of statistically significant increases in the ground water monitoring parameters during the March 2001 semiannual sampling event in eight monitoring wells (MW-4A, MW-12, MW-18C, P-16, MW-1(Lewis), MW-2R, MW-3R, and MW-6D). The eight wells were resampled in May 2001. Statistically significant increases were verified in four monitoring wells (MW-4A, MW-12, MW-18C, P-16); however, samples from MW-1 (Lewis), MW-2R, MW-3R, and MW-6D did not confirm previous statistically significant increases.

In accordance with OAC Rule 3745-27-10(E)(7)(b), the owner/operator may demonstrate that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation, or from natural variation in ground water quality. Upon such a determination by the Director, the Director may reinstate the *ground* water detection monitoring program as described in OAC Rule 3745-27-10(D).

Pursuant to OAC Rule 3745-27-10(E)(7)(b), I hereby approve the June 5, 2001, demonstration to reinstate the detection monitoring program for the parameters identified in the June 5, 2001 report for wells MW-1 (Lewis), MW-2R, MW-3R, and MW-6D at the Facility as described in OAC 3745-27-10(C) and (D).

Should future or existing ground water sampling results indicate statistically significant increases in ground water monitoring parameters, the owner/operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain an approval to remain in the detection monitoring program in accordance with OAC Rule 3745-27-10(D)(7)(c).

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

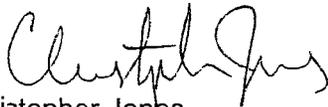
BFI CLD-Lewis Landfill, Mahoning County
OAC Rule 3745-27-10(E)(7)(b) Authorization
Page 2 of 2

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the ground 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. A copy of the appeal must be served on the director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

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

Sincerely,



Christopher Jones
Director

CJ/KS/cl

cc: Scott Hester, DSIWM-CO
Eric Adams, DSIWM-NEDO
Katharina Snyder, DSIWM-NEDO
Christine Frankford, Mahoning County Health Department
Conni McCambridge, DDAGW-NEDO
Ground Water File
File: [LAND/BFI CLD/LEWIS/AUT/50]
File: [LAND/BFI