



State of Ohio Environmental Protection Agency

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DEC 16 2002

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

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A.

RE: Carbon Limestone Landfill, Mahoning County
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b) Authorization

Dear Mr. Smith:

On March 27, 2002, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received a report dated March 26, 2002, titled Submittal of Ground Water SSI Source Demonstration Report, BFIO Carbon Limestone Landfill, Mahoning County, Ohio October 2001 Detection Monitoring Event requesting the continuation of the ground water detection monitoring program for chloride at monitoring well PW-2A at the Carbon Limestone Landfill located in Mahoning County.

The report was submitted in accordance with OAC Rule 3745-27-10(D)(7)(c) to provide evidence that the statistically significant increase in concentration of chloride (19 mg/L) detected in monitoring well PW-2A during the October 2001 sampling event was caused by a source other than the landfill, or the increase resulted from error during sampling, analysis, or evaluation or from natural variation in the ground water. The owner/operator resampled PW-2A for chloride on January 28, 2002, and the resampling results (20 mg/L of chloride) were statistically significant compared to the prediction limit of 16.21 mg/L.

Ohio EPA, NEDO has reviewed this ground water demonstration in accordance with OAC Rule 3745-27-10(E)(7)(b) rather than OAC Rule 3745-27-10(D)(7)(c) for the following reasons:

1. The owner/operator placed monitoring well PW-2A into assessment monitoring during the April 2001 assessment sampling event by sampling PW-2A for Appendix II parameters. Therefore, PW-2A has already entered into assessment monitoring and the requirements of OAC Rule 3745-27-10(E)(7)(b) must be satisfied to return PW-2A to the ground water detection monitoring program.

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

2. The 105-day deadline for approval of an OAC Rule 3745-27-10(D)(7)(c) demonstration expired on March 29, 2002.

The owner/operator demonstrated that the statistically significant increase in chloride concentration at PW-2A is the result of natural spatial and temporal variations in the Uppermost Aquifer System (UAS) ground water quality. Upon review of the information submitted, Ohio EPA concurs that the statistically significant increase in chloride concentrations are the result of natural spatial and temporal variations in UAS ground water quality.

Pursuant to OAC Rule 3745-27-10(E)(7)(b) the owner/operator of Carbon Limestone Landfill is hereby authorized to reinstate the detection monitoring program as described in OAC Rule 3745-27-10(C) and (D) for chloride at monitoring well PW-2A.

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).

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

Carbon Limestone Landfill, Mahoning County
OAC Rule 3745-27-10(E)(7)(b) Authorization
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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
Jeff Martin, DDAGW-CO
Ground Water File
File: [LANDICARBONIGRO/50]
File: [LAND/CARBON/AUT/50]