



State of Ohio Environmental Protection Agency

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ENTERED DIRECTOR'S JOURNAL

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OHIO E.P.A.

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Patrick E. Nortz  
District Environmental Manager  
Browning-Ferris Industries of Ohio, Inc.  
Lorain County II Landfill Office  
43502 Oberlin-Elyria Road  
Oberlin, Ohio 44074

**RE: WILLOWCREEK SANITARY LANDFILL  
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)**

Dear Mr. Nortz:

In a report dated July 9, 2004, Environmental Resources Management (ERM), on behalf of BFI Willowcreek Sanitary Landfill, submitted an alternate source demonstration in accordance with OAC 3745-27-10(D)(7)(c)(ii) to the Ohio Environmental Protection Agency (Ohio EPA). The demonstration was submitted to address a statistically significant increase identified during the March 2004 semiannual sampling event conducted at the Willowcreek Landfill located in Portage County.

Specifically, **ERM** reported a statistically significant increase (**SSI**) of 0.13 mg/L of barium at monitoring well MW-16S during the March 2004 semi-annual detection monitoring event conducted at the landfill. The reported March 2004 barium concentration of 0.13 mg/L was above the prediction limit of 0.030 mg/L. In accordance with **OAC 3745-27-10 (D)(7)(c)(i)**, verification resampling was conducted in May 2004, which resulted in a ground water concentration of 0.038 mg/L. This result was again slightly above the prediction limit of 0.030 mg/L. **However**, the demonstration contained adequate supporting information that sufficiently shows that the SSI was the result of natural variation. This information included leachate chemical analysis, evaluation of indicator parameters, trend plots, and Ohio EPA ambient ground water quality data.

Pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c), the owner or operator of a landfill may demonstrate that a source other than the landfill caused the contamination, or that the statistically significant increase resulted from error in sampling, analysis, statistical evaluation, or natural variation in ground water quality.

Ohio EPA has reviewed the alternate source demonstration and concurs that the owner of the facility has adequately demonstrated that the statistically significant increase observed for barium at monitoring well MW-16S during the March 2004 sampling event was due to

I certify this to be a true and accurate copy of the official document as filed in the records of the Ohio Environmental Protection Agency

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

*Donna Jackson* 9-7-04

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natural variation. Ohio EPA thus approves continuation of the detection monitoring program in accordance with OAC 3745-27-10(D) at monitoring well MW-16S for the above specified parameter.

Should future or existing ground water sampling results indicate statistically significant differences in ground water monitoring parameters, Willowcreek Landfill will be required to either enter the assessment monitoring program in accordance with OAC 3745-27-10(E) or obtain an approval to remain in the detection monitoring program.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

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 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Jarnal Singh, Ohio EPA, Northeast District Office at (330) 963-1276.

Sincerely,

  
William Skowronski, Chief

Northeast District Office  
for Christopher Jones, Director

WS/CJ/JS/cl

cc: Scott Hester, DSIWM-CO  
Eric Adams, DSIWM-NEDO  
Jarnal Singh, DSIWM-NEDO  
DuWayne Porter, Portage County HD  
File: [LAND/Willowcreek/AUT/&GRO/67]