



State of Ohio Environmental Protection Agency

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Dan Titus  
Allied Waste Industries, Inc.  
BFI Lorain County Landfill  
43502 Oberlin Elyria Road  
Oberlin, OH 44074

**Re: BFIO CLD/Lewis Landfill, Mahoning County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(a) Approval**

Dear Mr. Titus:

On October 12, 2005, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a report dated October 11, 2005, for the BFIO CLD/Lewis Landfill (Facility) located in Mahoning County. This document was submitted pursuant to OAC Rule 3745-27-10(E)(9)(a), and requested reinstatement of the ground water detection monitoring program for specific monitoring wells at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program implemented due to the detection of statistically significant changes for arsenic in monitoring wells MW-12.

Pursuant to OAC Rule 3745-27-10(E)(9)(a), the owner or operator may determine that the concentrations of **all waste-derived constituents** at all of the monitoring wells in a ground water quality assessment monitoring program, and at any additional wells that may have been installed as part of this assessment monitoring program, are shown to be at or below background values for two consecutive sampling events and may request that the director approve reinstatement of the ground water detection monitoring program for these monitoring wells and release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program requirements at the Facility.

Based on the information contained in the request, the results of two consecutive sampling events, indicated that the concentrations of all waste-derived constituents, including arsenic, were at or below background values. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(a), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, noted above, and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well MW-12.

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Joseph P. Koncelik, Director

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Allied Waste Industries, Inc.  
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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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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 (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. It 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 after filing 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 Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,

William Skowronski, Chief  
Northeast District Office  
for Joseph P. Koncelik, Director

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