



State of Ohio Environmental Protection Agency

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August 15, 2006

Ms. Connie Dall
Environmental Manager
Browning-Ferris Industries
5092 Aber Road
Williamsburg, Ohio 45176

**Re: Bigfoot Run Closed Sanitary Landfill, Warren County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Ms. Dall:

On August 1, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Southwest District Office (SWDO) received a document titled "Alternate Source Demonstration Report for Bedrock Well Z-709D, March 2006, Groundwater Detection Monitoring Event, Closed Bigfoot Run Sanitary Landfill Warren County Ohio," dated July 31, 2006, for the Bigfoot Run Closed Sanitary Landfill (Facility) located in Warren County. This document was submitted by the consulting firm of Civil & Environmental Consultants, Inc. (CEC), on behalf of Browning-Ferris Industries of Ohio (BFI of Ohio), and contains the ground water sampling results and the statistical analysis from the March 2006 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: potassium in monitoring well Z-709D.

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 July 31, 2006, document concluded that the statistically significant changes for potassium at monitoring well Z-709D were due to *natural variation in ground water quality*, and not as a result of impact from the landfill.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the July 31, 2006, document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well Z-709D.

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 is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Rich Bendula of Ohio EPA, SWDO at 937-285-6347.

Sincerely,

Thomas A. Winston, P.E.
Chief, Southwest District Office
for Joseph P. Koncelik, Director

cc: Tracy Buchanan, DSIWM-SWDO
Scott Hester, DSWIM-CO
Larry Wisner, Warren County Combined Health District

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