



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

OHIO E.P.A.

DEC 18 2013

ENTERED DIRECTOR'S JOURNAL

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

By: [Signature] Date: 12-18-13

Re: **CLD/Lewis Landfill  
Director's Authorization  
Final Approval  
Municipal Solid Waste Landfills  
Mahoning County  
MSWL019386**

CERTIFIED

December 18, 2013

Mike Heher  
Division Manager  
CLD/Lewis Landfill  
8100 South Stateline Road  
Lowellville, OH 44436

Dear Mr. Heher:

On September 4, 2013, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration," dated September 3, 2013, for the CLD/Lewis Landfill (Facility) located in Mahoning County. This document was submitted by Eagon & Associates, Inc. on behalf of County Land Development Landfill, LLC, and contains the ground water sampling results and the statistical analysis from the May 14 and May 15, 2013 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: chloride in monitoring well MW-7DA; nickel in monitoring well MW-121C.

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.

Mike Heher  
CLD/Lewis Landfill  
Page 2

The September 3, 2013 document concluded that the statistically significant changes for chloride at monitoring well MW-7DA and nickel at monitoring well MW-121C were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells were initially sampled on May 14 and May 15, 2013.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 3, 2013 document. However, the two hundred ten (210) days from initial sampling expired on December 11, 2013. Therefore, this authorization is hereby issued pursuant to OAC Rule 3745-27-10(E)(9)(b), which states 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 from natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program.

The owner or operator shall continue the detection monitoring program at the Facility for monitoring wells MW-7DA and MW-121C.

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 of Environmental Protection (Director) 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 thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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  
77 South High Street, 17th Floor  
Columbus, Ohio 43215

Mike Heher  
CLD/Lewis Landfill  
Page 3

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

Sincerely,



Kurt M. Princic  
Chief, Northeast District Office  
For Scott J. Nally  
Director, Ohio EPA

KMP/SJN/KS/cl

cc: Jarnal Singh, DMWM-NEDO  
Scott Hester, DMWM-CO  
Mary Helen Smith, Mahoning County Health Department