



State of Ohio Environmental Protection Agency

OHIO E.P.A.

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JUL 20 2010

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ENTERED DIRECTOR'S JOURNAL

JUL 20 2010

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.

Mr. Chris Jaquet
BFI-Lorain County II Landfill
43502 Oberlin-Elyria Rd.
Oberlin, OH 44074

By Donna Lasser Date: 7-20-10

**RE: BFI LORAIN COUNTY II LANDFILL, LORAIN COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(E)(9)(B) APPROVAL**

Dear Mr. Jaquet:

On March 12, 2010, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO), received a document containing ground water detection monitoring data, dated March 11, 2010, for the Lorain II Landfill (Facility) located in Lorain County. According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: sodium at monitoring well MW-3R, ammonia at monitoring well MW-205R, and chloride and sodium at monitoring well MW-211S. Monitoring wells MW-3R, MW-205R and MW-211S were initially sampled on October 7-8, 2009.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 March 11, 2010 document concluded that the statistically significant changes for sodium at monitoring well MW-3R and ammonia at monitoring well MW-205R were due to natural variation, and the statistically significant changes for chloride and sodium at monitoring well MW-211S were due to the influence of road salt, and not as a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 for reinstatement of the detection monitoring program applies to monitoring wells, MW-3R, MW-205R and MW-211S.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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 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, made payable to "Ohio Treasurer Kevin Boyce," 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, OH 43215

If you have any questions concerning this letter, please contact Clarissa Gereby of Ohio EPA, NEDO at (330) 963-1224.

Sincerely,



William T. Skowronski, Chief, NEDO
for Chris Korleski, Director

WTS/CK:ddw

cc: Joe Montello, Allied Waste
Joe Warburton, Brown and Caldwell Ohio, LLC.
Scott Hester, DSIWM-CO
John Sabo, Lorain County Health Department
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