



**Environmental
Protection Agency**

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

OHIO E.P.A.

APR 20 2011

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.

APR 20 2011

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

 Date: 4-20-11

**RE: BFI LORAIN COUNTY II LANDFILL, LORAIN COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii) APPROVAL**

Dear Mr. Jaquet:

On January 31, 2011, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO), received a document titled "OAC Rule 3745-27-10(D)(7)(c)(ii) Demonstration that the Statistical Exceedances for Sodium and Chloride at Well MW-211S are not a Result of Landfill Activities, BFIO – Lorain County II Landfill, Oberlin, Ohio," dated January 28, 2011 for the BFI-Lorain II Landfill (Facility) located in Lorain County. This document was submitted by Brown and Caldwell, on behalf of BFI-Lorain II Landfill, and contains the ground water sampling results and the statistical analysis from the October 2010 ground water sampling event at the Facility. A revision to the demonstration was received on March 14, 2011, and the revised page was added to the document. The ground water monitoring program at the facility is regulated by OAC 3745-27-10 (effective August 15, 2003).

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: sodium (46 mg/l) and chloride (71 mg/l) at monitoring well MW-211S. Verification sampling was performed on December 13, 2010. Analysis of the re-sampling data confirmed the statistically significant changes for sodium (49 mg/l) and chloride (73 mg/l) at monitoring well MW-211S, slightly above the prediction limits. The prediction limit for sodium and chloride at MW-211S is 40 mg/L and 54 mg/L, respectively.

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. Approval of this demonstration is required by May 8, 2011 to avoid the need to implement a ground water assessment program.

The January 28, 2011 document concluded that the statistically significant changes for sodium and chloride at monitoring well MW-211S were not a result of a release from the landfill.

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Rather, the reported concentrations, and increasing trend, of sodium and chloride were the result of an alternate source, the influence of road salt applied to the haul road adjacent to the well.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the January 28, 2011 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 MW-211S.

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 ORC 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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

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

Sincerely,



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

KP/SJN/CG/cl

cc: Joe Montello, Allied Waste
Joe Warburton, Brown and Caldwell Ohio, LLC
Jennifer Kurko, DSIWM-NEDO
Scott Hester, DSIWM-CO
John Sabo, Lorain County Health Department
DSIWM #3718