



**Environmental  
Protection Agency**

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

OHIO E.P.A.

APR 19 2011

ENTERED DIRECTOR'S JOURNAL

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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.

Mike Heher, Division Manager  
Carbon Limestone Landfill LLC  
8100 South Stateline Road  
Lowellville, OH 44436

By Dan Lassiter Date 4-19-11

**RE: CARBON LIMESTONE LANDFILL, MAHONING COUNTY  
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii) APPROVAL**

Dear Mr. Heher:

On March 22, 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) Alternate Source Demonstration Report for Chloride at Well MW-114A, Chloride at Well MW-115A, Ammonia at Well MW-217A, Barium at Well MW-205B, Request for Director's Approval," dated March 21, 2011, for the Carbon Limestone Landfill (Facility) located in Mahoning County. This document was submitted by Eagon & Associates, Inc. on behalf of Carbon Limestone Landfill, and contains the ground water sampling results and the statistical analysis from the December 16 and 17, 2010 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 wells MW-114A and MW-115A; ammonia in monitoring well MW-217A; barium in monitoring well MW-205B.

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 March 21, 2011 document concluded that the statistically significant changes for chloride in monitoring wells MW-114A and MW-115A, ammonia in monitoring well MW-217A, and barium in monitoring well MW-205B were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well MW-205B was originally sampled on December 16, 2010. Monitoring wells MW-114A, MW-115A and MW-217A were sampled on December 17, 2010.

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the March 21, 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 wells MW-205B, MW-114A, MW-115A and MW-217A.

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  
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,



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

KP/SJN/KS/cl

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