



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Mr. Dave Vossmer
Browning-Ferris Industries of Ohio, Inc.
530 North Camp Road
Port Clinton, Ohio 43452

**Re: Browning-Ferris Industries of Ohio, Inc. - Ottawa County Landfill
Ohio Administrative Code Rule 3745-27-10(E)(9)(b) Authorization**

Dear Mr. Vossmer:

On January 3, 2005, the Ohio Environmental Protection Agency (Ohio EPA) received a letter from CEC, Inc., which documents demonstrations in accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) for the June 2004 sampling and August 23, August 31, and November 22, 2004 resampling events for the Ottawa County Landfill (Facility). These demonstrations were submitted due to statistically significant differences of chloride at monitoring well MW-23 and arsenic and chloride at monitoring well MW-32. The letter included requests to continue detection monitoring at MW-23 and MW-32. Since the 210-day period from sampling allowed by OAC Rule 3745-27-10(D)(7)(c)(ii) has lapsed, the demonstrations were reviewed in accordance with OAC Rule 3745-27-10(E)(9)(b). This letter addresses only the demonstration for MW-32; the demonstration for MW-23 will be addressed in separate correspondence.

Pursuant to OAC Rule 3745-27-10(E)(9)(b), the owner or operator may demonstrate that a source other than the facility caused the contamination, or the increase resulted from error during sampling, analysis, evaluation, or natural variation in the ground water quality. The January 3, 2005 demonstration concluded that the statistically significant increases of arsenic and chloride at MW-32 were due to a source other than the landfill.

Ohio EPA concurs with the demonstration and approves reinstatement of the detection monitoring program in accordance with OAC Rule 3745-27-10(E)(9)(b) for the well and parameters specified above.

Should future or existing ground water sampling indicate statistically significant increases in ground water quality for other parameters, the facility owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E), or obtain similar approval to remain in detection monitoring.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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You are hereby notified that this action of the 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 ground upon which the appeal is based. The appeal shall be filed with the Commission within 30 days after notice of the action. Notice of the filing of the appeal shall be filed with the director of environmental protection within three (3) days after the appeal is filed with the Commission. 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 document, you may contact Kimberly Burnham at the Ohio EPA, Northwest District Office, at (419) 373-3049.

Sincerely,

Shannon Nabors, District Chief
for Joseph P. Koncelik, Director

pc: Pat Nortz, Lorain County Landfill
Eric Van Heyde, CEC, Inc
Scott Hester, DSIWM, CO
Kimberly Burnham, DSIWM, NWDO
Ken Brock, DDAGW, NWDO

id: 5-4880