



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43216-1049

Ms. Connie Dal, Environmental Manager
Browning Ferris Industries, Inc.
Allied Waste Industries
5092 Aber Road
Williamsburg, Ohio 45176

**RE: Bobmeyer Road (Closed) Landfill, Butler County
Alternative Parameters List Approval**

Dear Ms. Dall:

The Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) received the "Alternate Parameters List (APL) Request", for the closed Bobmeyer Road Landfill (Facility), dated December 21, 2004. This request was submitted in accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(D)(2).

Pursuant to OAC Rule 3745-27-10(D)(2), the owner or operator of a sanitary landfill facility may propose, in writing, to delete any of the appendix I monitoring parameters to be used to meet the requirements of paragraphs (D)(5) to (D)(8) of this rule. The director may approve the alternative list of appendix I monitoring parameters if the removed parameters are not reasonably expected to be in or derived from the waste contained or deposited in the sanitary landfill facility. Upon approval by the director or his authorized representative, the owner or operator may use the alternative list. The owner or operator shall, at a minimum, consider the following factors in proposing an alternative inorganic parameter list:

- (a) Which of the parameters specified in appendix I of this rule shall be deleted from the parameters required to be monitored in paragraph (D)(5) of this rule.
- (b) The types, quantities, and concentrations of constituents in wastes managed at the sanitary landfill facility.
- (c) The concentrations of the appendix I constituents in the leachate from the relevant unit(s) of the sanitary landfill facility.
- (d) Any other relevant information that the director or his authorized representative deems necessary.

The Facility's request, dated December 21, 2004, (see attached Table 1 and 2) requested removal of the following parameters required on the 1991 ground water detection program list: Chemical Oxygen Demand (COD), Total Organic Carbon (TOC), Phenols, Phosphorous, Cyanide, and Mercury. The aforementioned parameters are to be replaced with Antimony, Beryllium, Cobalt,

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

Bobmeyer Road Landfill (Closed), Butler County
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Thallium, and Vanadium to meet consistency with OAC Rule 3745-27-10, effective August 15, 2003.

Based upon a review of the submitted information, Ohio EPA concurs with the Facility's request as submitted on December 21, 2004, and hereby approves the alternative list of monitoring parameters in accordance with OAC Rule 3745-27-10(D)(2).

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations. This letter shall not be interpreted to release the Facility owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the Director of Ohio EPA is final and may be appealed to the Environmental Review Appeals Commission (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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days of filing with the Commission. An appeal may be filed with the 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 Maria Lammers of Ohio EPA, Southwest District Office at (937) 285-6046.

Sincerely,

Thomas A. Winston, P.E.,
Chief, Southwest District
as agent for Joseph P. Koncelik
Director, Ohio Environmental Protection Agency

Enclosure: Table 1 and 2 of the APL request

cc: Jay Cavender, DDAGW, SWDO
Maria Lammers, DSIWM, SWDO