



State of Ohio Environmental Protection Agency

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Dan Titus
Allied Waste Industries, Inc.
BFI Lorain County Landfill
43502 Oberlin Elyria Road
Oberlin, OH 44074

**RE: BFIO CLD/LEWIS LANDFILL, MAHONING COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)(ii) APPROVAL**

Dear Mr. Titus:

On March 24, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled "Ohio Administrative Code Rule 3745-27-10(D)(7)(c)(ii) Demonstration Report for Detection Monitoring Wells MW-4A, MW-106C, and MW-115C" dated March 22, 2006, for the Browning-Ferris Industries of Ohio, Inc. (BFIO) CLD/Lewis Landfill (Facility) located in Mahoning County. This document was submitted by Silbaugh Hydrogeological Services on behalf of BFIO, and contains the ground water sampling results and the statistical analysis from the December 2005, January 2006 and February 2006 ground water sampling events at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: potassium in monitoring well MW-4A; nickel in monitoring well MW-106C; and copper in monitoring well MW-115C.

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 22, 2006 document concluded that the statistically significant changes for potassium at monitoring well MW-4A were due to a source other than the Facility, and that the statistically significant changes for nickel at monitoring well MW-106C and copper at monitoring well MW-115C resulted from error in sampling, analysis, or statistical evaluation.

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

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the March 22, 2006 document for MW-106C and MW-115C only. 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-106C and MW115C.

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 Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (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. 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 after 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 Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,

William Skowronski
District Chief, Northeast District Office
for Joseph P. Koncelik
Director, Ohio EPA

WS/JPK/KS/cl

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