



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

OHIO E.P.A.

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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.

November 6, 2012

John Verba, Director of Public Service  
City of Brooklyn  
7619 Memphis Avenue  
Brooklyn, Ohio 44144

By: Jonda Lassiter Date: 11-6-12

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

Dear Mr. Verba:

On September 5, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "Spring 2012 Alternate Source Demonstration for Chloride at Uppermost Aquifer System Monitoring Well W-13, First Semiannual Ground Water Sampling Event, City of Brooklyn Sanitary Landfill (SLF) City of Brooklyn, Ohio," dated September 4, 2012, for the Brooklyn Landfill (Facility) located in Cuyahoga County. This document was submitted by Civil & Environmental Consultants, Inc. on behalf of the City of Brooklyn (owner), and contains the ground water sampling results and the statistical analysis from the April 18-19, 2012 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 well W-13.

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 not later than 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 September 4, 2012 document concluded that the statistically significant changes for chloride at monitoring well W-13, was due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well W-13 was initially sampled on April 18 -19, 2012 and resampled on June 13, 2012. The document contains adequate supporting information in accordance with OAC 3745-27-10 (D)(7)(c)(ii) to demonstrate that the reported SSI for total chloride at monitoring well W-13 during the 2012 first semiannual detection monitoring event was a false positive due to natural variation.

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 4, 2012 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 W-13.

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.

A detailed account of Ohio EPA's review of the ground water demonstration and sampling event will be addressed in a separate correspondence.

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  
77 South High St., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Colum McKenna of Ohio EPA, NEDO at (330) 963-1268.

Sincerely,



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

KMP/SJN/CM/cl

cc: Lynn Sowers, DMWM-NEDO  
Scott Hester, DMWM-CO  
Laura Travers, Cuyahoga County Board of Health  
Tom Covrett, CEC