



**Environmental
Protection Agency**

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

OHIO E.P.A.

JUL 24 2012

ENTERED DIRECTOR'S JOURNAL

July 24, 2012

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: Don Cassler Date: 7-24-12

**RE: CARBON LIMESTONE LANDFILL, MAHONING COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(E)(9)(b) APPROVAL**

Dear Mr. Heher:

On March 30, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "OAC Rule 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration Report for Ammonia and Barium at Well MW-114A, Chloride at Well MW-115A, Ammonia at Well MW-217A, Chloride at P-26A, Sodium at Well MW-240A, Ammonia and Copper at Well MW-204A, Barium at Well MW-205B, Sodium at Well MW-208B, Request for Director's Approval," dated March 28, 2012, for the Carbon Limestone Landfill (Facility) located in Mahoning County. This document was submitted by Eagon & Associates, Inc. on behalf of Carbon Limestone Landfill, LLC, and contains the ground water sampling results and the statistical analysis from the December 6, 2011 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: ammonia and barium in monitoring well MW-114A, chloride in monitoring well MW-115A, ammonia in monitoring well MW-217A, chloride in monitoring well P-26A, sodium in monitoring well MW-240A, ammonia and copper in monitoring well MW-204A, barium in monitoring well MW-205B, sodium in monitoring well MW-208B.

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.

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The March 28, 2012 document concluded that the statistically significant changes for ammonia and barium in monitoring well MW-114A, chloride in monitoring well MW-115A, ammonia in monitoring well MW-217A, chloride in monitoring well P-26A, sodium in monitoring well MW-240A, ammonia and copper in monitoring well MW-204A, barium in monitoring well MW-205B, and sodium in monitoring well MW-208B were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells were initially sampled on December 6, 7, and 8, 2011.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the March 28, 2012 document. However, the two hundred ten (210) days from initial sampling expired on July 3, 2012. Therefore, this authorization is hereby issued pursuant to OAC Rule 3745-27-10(E)(9)(b), which states 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 from natural variation in ground water quality, and request that the director approve reinstatement of the detection monitoring program.

The owner or operator shall continue the detection monitoring program at the Facility for monitoring wells MW-114A, MW-115A, MW-217A, P-26A, MW-240A, MW-204A, MW-205B, MW-208B.

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.

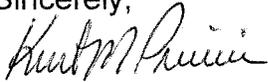
You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds 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
77 South High Street, 17th Floor
Columbus, Ohio 43215

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If you have any questions concerning this letter, please contact Katharina Snyder of Ohio EPA, DMWM, NEDO, at (330) 963-1257.

Sincerely,



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

KMP/SJN/KS/cl

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