



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

OHIO E.P.A.

DEC 19 2012

ENTERED DIRECTOR'S JOURNAL

December 19, 2012

Mr. Chris Jaquet
BFI-Lorain County II Landfill
43502 Oberlin-Elyria Rd.
Oberlin, Ohio 44074

I hereby certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: *[Signature]* Date: 12-19-12

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

Dear Mr. Jaquet:

On September 18, 2012, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a document titled "*Submittal of OAC Rule 3745-27-10(D)(7)(c)(ii) Demonstration that Statistical Exceedances for Ammonia at Wells MW-203 and MW-210D, and for Chloride and Sodium at Well MW-211S are not a Result of Landfill Activities, BFIO – Lorain County II Landfill, Oberlin, Ohio,*" dated September 17, 2012, for the BFI-Lorain II Landfill (Facility) located in Lorain County. This document was submitted by Brown and Caldwell, on behalf of BFI-Lorain II Landfill.

The document contains an alternate source demonstration pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii) for verified ammonia triggers in ground water samples from detection wells MW-203 and MW-210D; and verified chloride and sodium triggers in ground water samples from detection well MW-211S. These wells were originally sampled on May 23-24, 2012, with resamples collected on July 19, 2012.

The BFIO Lorain County II Landfill ground water monitoring programs are regulated by the Solid and Infectious Waste Regulations (OAC 3745-27-10), effective August 15, 2003.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: ammonia (1.1 mg/l) at monitoring well MW-203; ammonia (1.1mg/l) at monitoring well MW-210D; chloride (85 mg/l) at monitoring well MW-211S; and sodium (61 mg/l) at monitoring well MW-211S. Verification sampling was performed on July 19, 2012. Analysis of the re-sampling data confirmed the statistically significant changes for ammonia (1.1 mg/l) at monitoring well MW-203; ammonia (1.1mg/l) at monitoring well MW-210D; chloride (79 mg/l) at monitoring well MW-211S; and sodium (56 mg/l) at monitoring well MW-211S, slightly above the prediction limits. The interwell prediction limit for ammonia is 0.88 mg/l. The prediction limit for chloride and sodium at MW-211S are 54 mg/L and 40 mg/L, respectively.

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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. Approval of this demonstration is required by December 19, 2012 to avoid the need to implement a ground water assessment program.

The September 17, 2012 document concluded that the statistically significant changes for ammonia at monitoring wells MW-203 and MW-210D, and chloride and sodium at monitoring well MW-211S were not a result of a release from the landfill. Rather, the reported concentrations, and increasing trend, of sodium and chloride were the result of natural variation and an alternate source, the influence of road salt applied to the haul road adjacent to the well.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 17, 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 wells MW-203, MW-210D and MW-211S.

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.

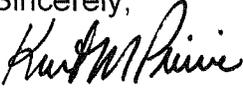
You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds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

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If you have any questions concerning this letter, please contact Clarissa Gereby of Ohio EPA, NEDO at (330) 963-1224.

Sincerely,



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

KMP/SJN/CG/cl

cc: Chris Jaquet, Republic Services, Inc.
Joe Montello, Republic Services, Inc.
Joseph Warburton, Brown and Caldwell
Jarnal Singh, DMWM-NEDO
Scott Hester, DMWM-CO
John Sabo, Lorain County Health Department
DMWM #4672