



State of Ohio Environmental Protection Agency

Northeast District Office

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Bob Taft, Governor
Christopher Jones, Director

FEB 28 2003

Mr. Patrick Nortz
Browning-Ferris Industries of Ohio
Lorain County Landfill II
43502 Oberlin-Elyria Road
Oberlin, OH 44074

OHIO E.P.A.
FEB 28 2003
ENTERED DIRECTOR'S JOURNAL

**RE: BFI LORAIN #2 LANDFILL - LORAIN COUNTY
OAC 3745-27-10(D)(7)(c) DEMONSTRATION**

Dear Mr. Nortz:

The Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) has completed the review of the demonstration submitted pursuant to Ohio Administrative Code (OAC) 3745-27-10(D)(7)(c), dated December 11, 2002, for the BFI Lorain County II Landfill. The report was received by this office on December 12, 2002. The demonstration was submitted in response to the September 2002 detection monitoring for which the report of ground water quality indicated a statistically significant increase for sodium in uppermost aquifer system (UAS) monitoring well MW-205R (replacement well for MW-205). The owner/operator contends that the statistically significant increase for sodium was not caused by the landfill, but rather from spatial variability in ground water quality.

BFI Lorain County II Landfill ground water monitoring program is regulated in accordance with the requirements set forth in OAC 3745-27-10 (effective June 1, 1994). The program is currently in detection monitoring.

Ohio EPA has reviewed the demonstration report and agrees with the owner/operator that the sodium exceedence in monitoring well MW-205R is likely due to natural spatial variability in ground water quality rather than from the landfill. Ohio EPA based its conclusion on three of the four observations presented in the report; no indication of an upward trend in sodium at MW-205R, low levels of other indicator parameters in the well, and the relatively high sodium levels in the upgradient wells.

The fourth observation that the sodium-chloride ratio in the well and the leachate differ could not be considered since the facility does not have a site wide, best available technology (BAT) leachate collection and liner system. Leachate samples from older

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facilities without a site wide BAT system are generally not accepted because all of the leachate is not being collected evenly throughout the site and may be diluted from surface water infiltration or contact with ground water.

Pursuant to OAC Rule 3745-27-10(D)(7)(c), the owner or operator may demonstrate that a source other than the facility caused the contamination, or the increase resulted from error during sampling, analysis, or evaluation, or from the natural variation in ground water. The December 11, 2002, demonstration concluded that the significant increase of sodium at monitoring well MW-205R was due to natural variation in the ground water.

Ohio EPA concurs with the demonstration and approves continuation of the detection monitoring program in accordance with OAC 3745-27-10(D)(7)(c) for the monitoring well specified above.

Should future or existing ground water sampling results indicate statistically significant increases in ground water quality, the owner/operator will be required to enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E), or obtain approval to remain in detection monitoring pursuant to OAC Rule 3745-27-10(D)(7)(c).

You are hereby notified that this action of the Director of Environmental Protection 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 30 days after notice of the director's action. Notice of the filing of the appeal shall be filed with the director within three days after the appeal is filed with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

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

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If you have any questions concerning this document, please contact Clarissa Gereby at
(330) 963-1224.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wm Skowronski".

William Skowronski
District Chief, Northeast District Office
for Christopher Jones, Director

WSICJ/CG/cl

cc: Murat Tukul, Environmental Supervisor, DSIWM, NEDO
Russ Kocher, DDAGW, NEDO