



State of Ohio Environmental Protection Agency

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

**Re: BFI Willowcreek Sanitary Landfill, Portage County
OAC Rule 3745-27-10(E)(9)(a) Authorization**

Dear Mr. Nortz:

By document dated August 15, 2003, Browning-Ferris Industries of Ohio, Inc. (BFIO) submitted a request to reinstate detection monitoring for ground water monitoring wells MW-3, MW-4, MW-5, MW-10, MW-11, MW-12, and MW-15S, at the BFI Willowcreek Sanitary Landfill (Facility) located in Portage County.

The request was submitted in accordance with Ohio Administrative Code (OAC) Rule 3745-27-10(E)(7)(b), as effective on June 1, 1994. However, since then, OAC Rule 3745-27-10 was amended and the new version became effective on August 15, 2003. Under the new rule, the appropriate reference is now OAC Rule 3745-27-10(E)(9)(a).

OAC Rule 3745-27-10(E)(9)(a) states:

"If the owner or operator determines that the concentrations of all waste-derived constituents are shown to be at or below background values, using the statistical procedures described in paragraph (C)(6) of this rule for two consecutive sampling events, then the owner or operator may request, in writing, that the director approve reinstatement of the detection monitoring program described in paragraphs (C) and (D) of this rule."

The last five sampling events have indicated that the waste-derived constituents in the abovementioned monitoring wells have dropped to previously observed background levels. Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(a), I hereby approve reinstatement of monitoring wells MW-3, MW-4, MW-5, MW-10, MW-11, MW-12, and MW-15S to the detection monitoring program at the Facility.

This authorization to return to detection monitoring applies only to ground water results submitted prior to August 14, 2003. Should future or existing ground water sampling results indicate statistically significant changes in ground water quality for other parameters, the owner/operator is

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director



required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain an approval to remain in the detection monitoring program.

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 the notice of the director's action. A copy of the appeal must be served on the director within three days of 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 regarding this review, please contact Jamal Singh of Ohio EPA's Northeast District Office at (330) 963-1200.

Sincerely,

Christopher Jones
Director

cc: Murat Tukul, DSIWM-NEDO
Jeffery Rizzo, DDAGW-NEDO
Scott Hester, DSIWM-Central Office
Duwayne Porter, Portage County HD
Victoria Warren, Allied Waste, IL