



State of Ohio Environmental Protection Agency

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

**RE: WILLOWCREEK SANITARY LANDFILL
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(c)**

Dear Mr. Nortz:

In a report dated December 17, 2004, Environmental Resources Management (ERM), on behalf of BFI Willowcreek Sanitary Landfill, submitted an alternate source demonstration to the Ohio Environmental Protection Agency (Ohio EPA). The demonstration was submitted in accordance with OAC 3745-27-10(D)(7)(c)(ii) to address statistically significant increases identified during the August/September 2004 ground water monitoring event conducted at the Willowcreek Sanitary Landfill located in Portage County.

Specifically, ERM reported a statistically significant increase (SSI) in barium at monitoring well MW-19A, and chloride at MW-5, in the August/September 2004 ground water monitoring report. The reported barium concentration of 0.039mg/L was above the prediction limit of 0.030 mg/L. Verification re-sampling was conducted in accordance with OAC 3745-27-10 (D)(7)(c)(i) in October 2004, which resulted in a ground water concentration of 0.033 mg/L. This result was again above the prediction limit of 0.030 mg/L, however, the demonstration contained adequate supporting information that sufficiently showed that the SSI was the result of natural variation. The concentration of 160 mg/L of chloride at monitoring well MW-5 was also above the prediction limit of 120 mg/L. Verification re-sampling of this well was conducted in October 2004, which resulted in a ground water concentration of 150 mg/L. This again was above the prediction limit of 120 mg/L, however, the demonstration contained adequate supporting information that sufficiently showed that this SSI was the result of natural variation. The information supporting these demonstrations included leachate chemical analysis, evaluation of indicator parameters, trend plots, and Ohio EPA ambient ground water quality data.

Pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c), the owner or operator of a

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Joseph P. Koncelik, Director

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landfill may demonstrate that a source other than the landfill caused the contamination, or that the statistically significant increase resulted from error in sampling, analysis, statistical evaluation, or natural variation in ground water quality.

Ohio EPA has reviewed the alternate source demonstration and concurs that the owner of the facility has adequately demonstrated that the statistically significant increase observed for barium at monitoring well MW-19A and chloride at monitoring well MW-5 during the August/September 2004 sampling event was due to natural variation. Ohio EPA thus approves continuation of the detection monitoring program in accordance with OAC 3745-27-10(D) at monitoring wells MW-19A and MW-5.

Should future or existing ground water sampling results indicate statistically significant differences in ground water monitoring parameters, Willowcreek Landfill will be required to either enter the assessment monitoring program in accordance with OAC 3745-27-10(E), or obtain an approval to remain in the detection monitoring program.

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 or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Jarnal Singh, Ohio EPA, Northeast District Office at (330) 963-1276.

Sincerely,

William Skowronski, Chief
Northeast District Office
for Joseph P. Koncelik, Director

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WS/JPK/JS/cl

cc: Scott Hester, DSIWM-CO
DuWayne Porter, Portage County Health Department
Jarnal Singh, DSWM-NEDO
File [Adams/LAND/Willowcreek/AUT/67]