



State of Ohio Environmental Protection Agency

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Dan Titus
Allied Waste Industries, Inc.
BFI Lorain County Landfill
43502 Oberlin Elyria Road
Oberlin, OH 44074

**Re: BFI Carbon Limestone Landfill, Mahoning County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Titus:

On October 20, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received an OAC Rule 3745-27-10(D)(7)(c)(ii) demonstration report for monitoring well MW-208B, dated October 19, 2006, for the Browning-Ferris Industries of Ohio, Inc. (BFI) Carbon Limestone Landfill (Facility) located in Mahoning County. This document was submitted by Eagon and Associates, on behalf of BFI, and contains the ground water sampling results and the statistical analysis for monitoring well MW-208B from the July 31, 2006 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: nickel 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.

The October 19, 2006 document demonstrates that the statistically significant change for nickel at monitoring well MW-208B resulted from error in statistical evaluation and natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well MW-208B was initially sampled on July 31, 2006.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the

October 19, 2006 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 well 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 Ohio EPA (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 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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
309 South Fourth Street
Room 222
Columbus, Ohio 43215

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

Sincerely,

Laura H. Powell
Acting Director

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