



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

November 30, 2007

Tim Nytra
Site Engineer
BFIO Carbon Limestone Landfill
8100 South Stateline Road, Lowellville, OH 44436

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

Dear Mr. Nytra:

On October 1, 2007, 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 well MW-207A, dated September 28, 2007, for the BFIO Carbon Limestone Landfill (Facility) located in Mahoning County. This document was submitted by Eagon and Associates, on behalf of BFI Ohio, and contains the ground water sampling results and the statistical analysis for MW-207A from the May 2007 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: copper in monitoring well MW-207A.

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 September 28, 2007 document concluded that the statistically significant changes for copper at monitoring well MW-207A was due to natural variation in ground water quality, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the September 28, 2007 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-207A.

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 (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. It must be filed with the Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director within three (3) days after 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 concerning this letter, please contact Katharina Snyder of Ohio EPA, Northeast District Office, at (330) 963-1257.

Sincerely,

William Skowronski,
District Chief, Northeast District Office
for Chris Korleski
Director, Ohio EPA

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