



State of Ohio Environmental Protection Agency

Northeast District Office

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

June 17, 2008

Mike Heher
Division Manager
Site Engineer
Carbon Limestone Landfill LLC
8100 South Stateline Road
Lowellville, OH 44436

**RE: CARBON LIMESTONE LANDFILL LLC, MAHONING COUNTY
OHIO ADMINISTRATIVE CODE (OAC) RULE 3745-27-10(D)(7)(C)(II) APPROVAL**

Dear Mr. Heher:

On April 24, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration Report for Barium, Chromium, Cobalt, and Vanadium at MW-112AR," dated April 23, 2008, for the Carbon Limestone Landfill LLC (Facility) located in Mahoning County.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: barium, chromium, cobalt, and vanadium in monitoring well MW-112AR.

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 April 23, 2008 document concluded that the statistically significant changes for barium, chromium, cobalt, and vanadium at monitoring well MW-112AR were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring well MW-112AR was initially sampled on December 2007.

Mike Heher
Carbon Limestone Landfill LLC
Page 2

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the April 23, 2008 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-112AR.

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 Section 3745.04 of the Ohio Revised Code. 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, NEDO at (330) 963-1257.

Sincerely,

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

cc: Lynn Sowers, DSIWM-NEDO #1507
Scott Hester, DSIWM-CO
Mary Helen Smith, Mahoning County District Board of Health