



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director  
OHIO E.P.A.  
JAN - 6 2016

ENTERED DIRECTOR'S JOURNAL

JAN '06 2016

Mr. Allen Bradburn  
Republic Services  
5092 Aber Rd.  
Williamsburg, Ohio 45176

**Re: BFI CLD Landfill LFG Power Station  
Director's Authorization  
Final Approval  
Municipal Solid Waste Landfill  
Mahoning County  
MSWL019386**

**Subject: BFI CLD Landfill LFG Power Station, Mahoning County  
Ohio Administrative Code (OAC) Rule 3745-27-10(E)(9)(b) Approval**

Dear Mr. Bradburn:

On August 24, 2015, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a document titled "OAC 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration / 2015 First Semiannual Event Additional Data Submittal, County Land Development (CLD) Landfill, Mahoning County, Ohio" dated August 21, 2015, for County Land Development (CLD) Landfill (Facility) located in Mahoning County. The document was submitted by Eagon and Associates, Inc. on behalf of Browning-Ferris Industries of Ohio, Inc. (BFI, Inc.) and contains a demonstration pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii) for chloride triggers in ground water samples from detection monitoring wells MW-2R, MW-7DA, MW18C and MW-110C, and for potassium triggers in ground water samples from detection monitoring well MW-7DA.

The wells were originally sampled on April 21 through April 24, 2015. The document contains a demonstration to release the facility from the obligation to comply with the ground water quality assessment monitoring program due to the detection of statistically significant changes for contaminants detected in certain monitoring wells. Since the 210-day deadline for approval expired on November 20, 2015, Ohio EPA has reviewed this request pursuant to OAC 3745-27-10(E)(9)(b).

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 from natural variation in ground water quality and request that the director approve reinstatement of the detection monitoring program.

The August 21, 2015, document concluded that the statistically significant changes for chloride at monitoring wells MW-2R, MW-7DA, MW18C and MW-110C, and potassium

BFI CLD LANDFILL LFG POWER STATION  
DIRECTOR'S AUTHORIZATION  
PAGE 2 OF 3

at monitoring well MW-7DA are not indications of releases of waste-derived constituents, but instead are attributed to natural variation in ground water quality.

Ohio EPA has reviewed the applicable information and concurs with the conclusion that chloride at monitoring wells MW-2R, MW-7DA and MW18C, and potassium at monitoring well MW-7DA are not indications of releases of waste-derived constituents, but instead are attributed to natural variation in ground water quality. However, Ohio EPA does not concur with the conclusion that chloride at monitoring well MW-110C is not an indication of releases of waste-derived constituents, but instead is attributable to natural variation in ground water quality.

Therefore, pursuant to OAC Rule 3745-27-10(E)(9)(b), I hereby approve reinstatement of the ground water detection monitoring program for the monitoring wells in the ground water quality assessment monitoring program, specifically, monitoring wells MW-2R, MW-7DA and MW18C, and MW-7DA, and release the owner or operator from the obligation to comply with assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program does not apply to monitoring well MW-110C. A separate correspondence will be mailed addressing the Non-Approval to reinstate monitoring well MW-110C in the ground water detection program.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

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 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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:

BFI CLD LANDFILL LFG POWER STATION  
DIRECTOR'S AUTHORIZATION  
PAGE 3 OF 3

Environmental Review Appeals Commission  
77 South High St., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Clarissa Gereby,  
DMWM, NEDO at (330) 963-1224.

Sincerely,



Kurt M. Princic, Chief  
Northeast District Office  
for Craig W. Butler, Director

KMP:CG:cla

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