



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

OHIO E.P.A.

MAY 13 2016

ENTERED DIRECTOR'S JOURNAL

MAY 13 2016

Mr. Allen Bradburn  
Republic Services  
5092 Aber Road  
Williamsburg, OH 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(D)(7)(c)(ii) Approval**

Dear Mr. Bradburn:

On March 18, 2016, 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, County Land Development (CLD) Landfill*," for the BFI CLD Landfill LFG Power Station (Facility) located in Mahoning County. This document was submitted by Eagon & Associates, Inc. on behalf of the Facility and was dated March 16, 2016. According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride at well MW-2R; chloride at MW-7DA; chloride at MW-8D; and chloride at MW-138A. The samples were originally collected on October 21 and 22, 2015, with resamples collected on December 10 and 11, 2015.

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 March 16, 2016, document concluded that the statistically significant changes for chloride in ground water samples at wells MW-2R, MW-7DA, MW-8D and MW-138A were due to natural variation in ground water quality.

Ohio EPA has reviewed the applicable information and concurs with the demonstration for MW-2R, MW-7DA and MW-8D. 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 wells MW-2R, MW-7DA and MW-8D.

BFI CLD LANDFILL LFG POWER STATION  
DIRECTOR'S AUTHORIZATION  
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The Ohio EPA does not concur with the demonstration for MW-138A. This issue will be addressed in a separate correspondence.

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 Environmental Protection (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 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:

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 of Ohio EPA, NEDO at (330) 963-1224.

Sincerely,



Kurt M. Princic, Chief, NEDO  
for Craig W. Butler, Director

KMP:CG:cla

cc: Dave Fetchko, Mahoning County Health Department  
Mark Caetta, Ohio EPA, NEDO, DDAGW  
Lynn Sowers, Ohio EPA, NEDO, DMWM  
Tom Jenkins, Eagon and Associates  
Joe Montello, Republic Services

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