



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

OHIO E.P.A.
MAY 17 2016

ENTERED DIRECTOR'S JOURNAL

MAY 17 2016

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

**Re: Carbon Limestone Landfill, LLC
Authorization
Approval
Municipal Solid Waste Landfills
Mahoning County
MSWL018781**

**Subject: Carbon Limestone Landfill, LLC
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Heher:

On February 22, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a document titled "OAC Rule 3745-27-10(D)(7)(c)(ii) Alternate Source Demonstration Report for Ammonia, Arsenic, and Sodium in Well MW-110A; Chloride in Well MW-114A; Ammonia and Chloride in Well MW-115A; Cobalt in MW-204A; Barium in Well MW-205B; Ammonia and Chloride in MW-217A; Sodium in Well MW-208B; Ammonia, Chloride, and Sodium in Well MW-240A; and Barium and Chloride in Well P-26A; Request for Director's Approval," dated February 19, 2016, for Carbon Limestone Landfill, LLC. (Facility) located in Mahoning County. This document was submitted by Eagon and Associates, Inc., and contains the ground water sampling results and the statistical analysis from the November 16, 2015, 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: ammonia, arsenic and sodium in Well MW-110A; chloride in Well MW-114A; ammonia and chloride in Well MW-115A; cobalt in MW-204A; barium in Well MW-205B; ammonia and chloride in MW-217A; sodium in Well MW-208B; ammonia, chloride and sodium in Well MW-240A; and barium and chloride in Well P-26A.

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 not later than 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.

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Ohio EPA has reviewed the applicable information and has determined that the owner/operator has adequately demonstrated that the verified statistically significant difference for chloride in MW-114A, cobalt in MW-204A, barium in MW-P-26A and sodium in MW-240A were due to natural variation. Ohio EPA does not concur with the demonstration that chloride in groundwater samples from P-26A; ammonia in groundwater samples from well MW-115A; chloride in groundwater samples from well MW-115A; ammonia in groundwater samples from well MW-217A; chloride in groundwater samples from well MW-217A; barium in groundwater samples from well MW-205B; sodium in groundwater samples from well MW-208B; ammonia and chloride in groundwater samples from MW-240A; and arsenic, ammonia and sodium in groundwater samples from MW-110A were due to natural variation. However, Ohio EPA determined that the statistically significant differences for these wells were due to changes in static water levels and/or groundwater flow directions caused by on-site construction activities related to passive drainage system features, cell construction activities or changes in pumping levels of on-site ponds, combined with increased precipitation since 2007, and not due to an impact from the landfill.

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-110A, MW-114A, MW-115A, MW-204A, MW-217A, MW-P-26A, MW-240A, MW-205B and 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 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., 17th Floor
Columbus, Ohio 43215

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If you have any questions concerning this action, 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

cc: Lynn Sowers, Ohio EPA, NEDO, DMWM
Dave Fetchko, Mahoning County Health Department
Joe Montello, Republic Services
Tom Jenkins, Eagon & Assoc.