



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

OHIO E.P.A.

NOV -8 2016

ENTERED DIRECTOR'S JOURNAL

NOVEMBER 8, 2016

Mr. Allen Bradburn
Republic Services
Environmental Manager
5092 Aber Rd.
Williamsburg, Ohio 45150

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

**Subject: BFI-CLD Landfill LFG Power Station
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Bradburn:

On October 11, 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, County Land Development (CLD) Landfill, Mahoning County, Ohio*" dated October 10, 2016, for BFI-CLD Landfill LFG Power Station (Facility) located in Mahoning County. This document was submitted by Eagon and Associates, Inc., and contains the required notification of the confirmed statistically significant increases (SSIs) for the ground water sampling event which began on May 9, 2016, at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride in groundwater samples from wells MW-2R, MW-7DA and MW-8D; ammonia in groundwater samples from well MW-7DA; and potassium in groundwater samples from well MW-7DA.

Pursuant to Ohio Administrative Code (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.

The October 10, 2016, document concluded that the statistically significant changes for chloride in groundwater samples from wells MW-2R, MW-7DA and MW-8D; ammonia in groundwater samples from well MW-7DA; and potassium in groundwater samples from well MW-7DA were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells MW-2R, MW-7DA and MW-8D were initially sampled on May 9, 2016.

Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the October 10, 2016, document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the

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

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.

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

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

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