



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

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OHIO EPA  
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DECEMBER 21, 2016

LEGAL OFFICE

Ms. Dawn Wright, Environmental Manager  
Lorain County Landfill, LLC  
43502 Oberlin-Elyria Road  
Oberlin, OH 44074

**RE: Lorain County Landfill LLC  
Non-Permit Related Variance  
Approval  
Municipal Solid Waste Landfills  
Lorain County  
MSWL018801**

**Subject: Lorain County II Landfill, Lorain County  
Ohio Administrative Code (OAC) Rule 3745-27-03(C) Variance**

Dear Ms. Wright:

On February 1, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received a document titled "OAC 3745-27-03(C) Variance Request for Partial Sampling at MW-226S, Lorain County II Landfill" (Request) dated January 27, 2016, for the Lorain County II Landfill (Facility) located in Lorain County. This document was submitted by Eagon & Associates, Inc., on behalf of Lorain County Landfill, LLC (Lorain) pursuant to OAC Rule 3745-27-03(C), and requests Director's approval of a variance from the applicable requirements of OAC Rule 3745-27-10(E)(5)(b) to sample assessment monitoring well MW-226S semiannually for all Appendix I constituents and annually for all Appendix II constituents.

Pursuant to OAC Rule 3745-27-03(C)(5), "The director shall grant a variance only if the applicant demonstrates to the director's satisfaction that construction, operation, closure activities, and/or post-closure activities of the solid waste facility in the manner approved by the variance and any terms or conditions imposed as part of the variance will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of any other requirements of Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder."

Ohio EPA has reviewed the request and determined that granting a variance to Lorain to use the alternative ground water monitoring parameter list proposed in the Request will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder. Therefore, pursuant to OAC Rule 3745-27-03(C)(5), Lorain is hereby granted a variance to analyze groundwater samples collected semiannually and annually from the low-yielding assessment monitoring well MW-226S for only the following parameters:

- Ammonia
- Chloride
- Sodium
- VOCs
- 6010 metals

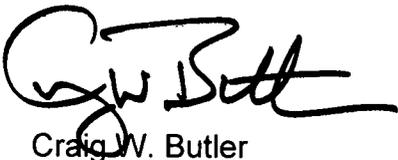
This alternative parameter list shall be used only for samples collected at monitoring well MW-226S during assessment monitoring activities.

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 ORC 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 Katharina Snyder of Ohio EPA, NEDO at (330) 963-1257.

Sincerely,



Craig W. Butler  
Director, Ohio EPA

CWB:KS:cla

cc: John Sabo, Lorain County Health Department

ec: Lynn Sowers, Ohio EPA, NEDO, DMWM  
Eric Adams, Ohio EPA, NEDO, DDAGW  
Scott Hester, Ohio EPA, Central Office, DMWM