



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

OCTOBER 6, 2017

Mr. Mike Heher  
Division Manager  
Carbon Limestone Landfill, LLC  
8100 S. Stateline Rd  
Lowellville, OH 44436

**Re: Carbon Limestone Landfill, LLC  
Non-Permit Related Exemption  
Approval  
Municipal Solid Waste Landfills  
Mahoning County  
MSWL018781**

Ohio EPA OCT 6 '17  
Entered Directors Journal

**Subject: Carbon Limestone Landfill, Mahoning County  
Exemption from the Requirements of Ohio Administrative Code (OAC)  
Rule 3745-27-10(F)(2)(e)(ii)**

Dear Mr. Heher:

On July 7, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a request, dated July 7, 2017, titled "Request for Director's Approval to Delete EDB and DBCP from the Corrective Measures per OAC Rule 3745-27-03 Carbon Limestone Landfill, Mahoning County, Ohio." The document was submitted in accordance with Ohio Administrative Code (OAC) Rule 3745-27-03(B) by Eagon & Associates, Inc. (Eagon) on behalf of Carbon Limestone Landfill, LLC. (CLL), owner of Carbon Limestone Landfill (Facility). The document requested an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii), in accordance with OAC Rule 3745-27-03(B).

OAC Rule 3745-27-10(F)(2)(e)(ii) requires sampling for the parameters numbered 1-66 of Appendix I of this rule, which were determined not to have been released to ground water. CLL requested to delete 1,2-dibromo-3-chloropropane (DBCP) and 1,2-dibromoethane (EDB) from the corrective measures monitoring parameter list for the Facility.

Sampling results for DBCP and EDB included in the exemption request support the removal of DBCP and EDB from the corrective measures monitoring parameter list. Based on the submitted data, the Facility has never had a detection of DBCP or EDB and the parameters are not reasonably expected to be in or derived from the waste contained or deposited in the Facility.

Ohio EPA has reviewed the exemption request and has determined that granting CLL an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii) is unlikely to

adversely affect public health or safety or the environment. Therefore, pursuant to Ohio Revised Code (ORC) Section 3734.02(G) and OAC Rule 3745-27-03(B), CLL is hereby granted an exemption from the requirements in OAC Rule 3745-27-10(F)(2)(e)(ii) only as it relates to determining the presence of DBCP or EDB in ground water above background levels. CLL shall continue monitoring all the wells in corrective measures monitoring for parameters 1-27 and parameters 30-66 listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA. This exemption shall remain in effect unless otherwise revoked.

You are hereby notified that this action of the 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  
30 East Broad Street, 4<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,



Craig W. Butler  
Director, Ohio EPA

CWB:CG:cla

ec: Lynn Sowers, Ohio EPA, NEDO, DMWM  
Paul Parrish, Ohio EPA, NEDO, DDAGW  
Scott Hester, Ohio EPA, Central Office, DMWM  
Amy Holinbaugh, Mahoning Co. Health Dept.