

**Environmental  
Protection Agency**

Gov. Bob Taft, Governor  
Lt. Gov. Frank LaRocca, Lt. Governor  
Cathy Hartnett, Director

July 20, 2010

**RE: BFI CLD/LEWIS LANDFILL  
GROUND WATER  
NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Mike Heher  
BFIO Carbon Limestone Landfill  
8100 South Stateline Road  
Lowellville, OH 44436

Dear Mr. Heher:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the following document:

- December 2008 Monitoring Event Report –
- Notification of Statistically Significant Increases –
- Notification of 3745-27-10(E)(5)(c) Appendix 1 and II Assessment Well Detections –
- Semiannual Assessment Activities Report – dated February 13, 2009

The document is dated February 13, 2009 and was received on February 17, 2009. Silbaugh Hydrogeological Services prepared the document on behalf of County Land Development Landfill, LLC (CLD).

The County Land Development Landfill, LLC (CLD) is conducting both assessment and detection ground water monitoring, and the ground water monitoring program is regulated by the Solid and Infectious Waste Regulations (OAC 3745-27-10), effective August 15, 2003.

The CLD annual detection and assessment monitoring event was conducted on December 15-18, 2008. The sampling results were received by Ohio EPA within 75-days in accordance with OAC 3745-27-10(C)(10).

Statistically significant increases were identified and confirmed at detection well MW-115C for 5.9 mg/L potassium (prediction limit of 5.6 mg/L) and for 34 mg/L sodium (prediction limit 33 mg/L). No volatile organic compounds were detected at any detection monitoring wells. The owner/operator plans to submit a demonstration report for continued detection monitoring of this well under OAC Rule 3745-27-10(D)(7).

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In Table 3, the owner/operator provided notification of Appendix I and II assessment detections in accordance with OAC 3745-27-10(E)(5)(c). Volatile organic compounds were detected at assessment wells MW-119C, MW-122C, MW-112B, MW-111A, AW-131B and AW-127A. No VOCs were detected at assessment wells AW-133C, AW-134C, AW-135C, AW-136A and AW-137C which were sampled in August 2008.

Subsequent to this submittal, wells AW-136B, AW-139C, AW-140C, and AW-141C were installed for further assessment of rate, extent and concentration.

Ohio EPA has identified the following violation:

The owner/operator is in violation of OAC Rules 3745-27-09(H) and 3745-27-10(A)(5) for failing to include the necessary signature statement of a qualified ground water scientist, as well as the owner/operator, certifying that the subject document is true and complete and complies with the requirements of Chapter 3734 of the Revised Code and the rules adopted there under, to the best of their knowledge.

The subject document does not contain the necessary signature statements from either the owner/operator or the qualified ground water scientist.

To return to compliance with these rules, the owner/operator should submit the necessary signature statements for the subject document, as required by these rules.

Ohio EPA has the following recommendation:

It is recommended that low flow or minimum/no purge sampling techniques be utilized at wells MW-131A, MW125-C, MW-4C, MW-6DR and P-7B which quickly became dewatered and at wells MW-111A, MW-7DA and MW-8D which had starting water levels in the screen or at the top of the screen. For each of these wells sufficient water should be removed to evacuate the pump and pump tubing and then the well should be pumped at a rate as low as 100 ml/min or less.

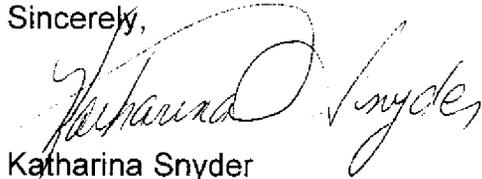
Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Please submit a response to this letter by August 20, 2010.

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BFIO Carbon Limestone Landfill  
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If you have any questions concerning this letter, please contact me at (330) 963-1257.

Sincerely,



Katharina Snyder  
Division of Solid and Infectious Waste Management

KS:cl

cc: Kathryn Epp, DDAGW-NEDO  
Dave Silbaugh, Silbaugh Hydrogeological Services  
Joe Montello, Hydrogeology Manager, Republic Services, Inc.  
Butch Bradburn  
Mary Helen Smith, Mahoning County Health Department  
Dave Fetchko, Mahoning County Health Department  
File: [Sowers/LAND/CLD/GRO/50]  
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Mike Heher  
 BFIO Carbon Limestone Landfill  
 8100 South Stateline Road  
 Lowellville, OH 44436

2. Article Number

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