



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

November 21, 2007

Ms. Elena Goodhall
District Environmental Manager
Allied Waste, Inc.
Lorain County II Landfill Office
43502 Oberlin-Elyria Road
Oberlin, OH 44074

**RE: WILLOWCREEK SANITARY LANDFILL
APRIL 2007 SEMI ANNUAL DECEPTION/COMPLIANCE MONITORING**

Dear Ms. Goodhall:

The Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO), has completed review of BFI Willowcreek Sanitary Landfill's April 2007 semiannual detection/compliance ground water monitoring data submittal. BFI Willowcreek Sanitary Landfill is located at 1043 State Route 225, Atwater Township, in Portage County, Ohio. The submittal was dated June 30, 2007, and was received by the Ohio EPA, NEDO, on July 3, 2007. BFI Willowcreek Sanitary Landfill closed pursuant to the 1994 revised Municipal Solid Waste regulations, but is required to conduct ground water detection and compliance monitoring in accordance with Ohio Administrative Code (OAC) 3745-27-10(D), and (E) of the revised 2003 Solid and Infectious Waste Regulations.

Violations of the following Rules were identified in this submittal:

1. **Ohio Administrative Code (OAC) 3745-27-10 (A)(1)(b)** which requires, in part, that *"a ground water quality assessment monitoring program which is implemented when there is a statistically significant increase over background of waste-derived constituents within the ground water system determined during detection monitoring unless a demonstration of a false positive is presented under paragraph (D)(7)(c)(i) of this rule or presented and approved under paragraph (D)(7)(c)(ii) of this rule."*

Low levels of volatile organic compounds (VOC's) have been reported at ground water monitoring well MW-37S during the October 2006 ground water detection monitoring event, and again, during the April 2007 ground water detection monitoring event at BFI Willowcreek Sanitary Landfill (SLF). The reported VOC's are indicative of anthropogenic waste derived constituents in groundwater at ground water monitoring well MW-37S. While ground water monitoring well MW-37S is reported to be hydraulically up-gradient of the limits of waste placement, it none-the-less appears to be located within the direction of movement of waste derived constituents in ground water.

The owner of BFI Willowcreek SLF is therefore not in compliance with the OAC 3745-27-10 (A)(1)(b) because the reported low levels of VOC reported in ground water monitoring well MW-37S have not been entered into a ground water quality assessment monitoring program.

2. **OAC 3745-27-10 (D)(5)(a)(iii)** which requires, in part, that *"beginning with receiving the results from the first monitoring event collected pursuant to the paragraph (D)(5)(a)(ii)(b) of this rule and semiannually thereafter by statistically analyzing the results from wells screened in the uppermost aquifer system for the parameters specified in paragraph (D)(5)(a)(i) of this rule."*

The owner of BFI Willowcreek SLF is not in compliance with the OAC 3745-27-10 (D)(5)(a)(iii) because the low levels of VOC detected at ground water monitoring well MW-37S were not statistically analyzed in accordance with 3745-27-10 (D)(5)(a)(iii) for the April 2007 first semi-annual ground water detection monitoring event.

3. **OAC 3745-27-10 (D)(7)(b)** which requires, in part, that *"the owner or operator shall submit a written notification to Ohio EPA of a statistically significant increase over background not later than seventy-five days after withdrawing a sample from the well, that upon analysis demonstrates a statistically significant change. A copy of this notification shall be placed in the operating record in accordance with rule 3745-27-09 of the Administrative Code. The notification must indicate which wells and parameters have shown a statistically significant increase over background levels."*

The owner of BFI Willowcreek SLF is not in compliance with the OAC 3745-27-10 (D)(7)(b) because a written notification was not received by Ohio EPA pertaining to the low levels of VOC detected at ground water monitoring well MW-37S accordance (D)(5)(a)(iii) for the April 2007 first semi-annual ground water detection monitoring event.

4. **OAC 3745-27-10 (E)(1)** which requires, in part, that *"the owner and operator shall implement a ground water quality assessment plan capable of determining the concentration, rate, and extent of migration of waste-derived constituent(s) in the ground water upon determining a statistically significant increase over background in accordance with paragraph (D)(7) of this rule."*

The owner of BFI Willowcreek SLF is not in compliance with the OAC 3745-27-10 (E)(1) of the revised 2003 Solid and Infectious water regulation because a ground water assessment monitoring program has not been implemented for the VOC's detected at ground water monitoring well MW-37S during the April 2007, and October 2006 ground water detection monitoring events at BFI Willowcreek SLF.

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Please identify in writing, within 15 days of your receipt of this letter, what actions have been or are being taken to address the above cited violations. If you have any questions concerning the contents of this letter, please do not hesitate to contact Jarnal Singh at (330) 963-1276 or Doug Dobransky at (330) 963-1163.

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.

Sincerely,



Jarnal Singh, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JS:ddw

cc: Doug Dobransky, DDAGW-NEDO
DuWayne Porter, Portage County Health Department
Danielle Axson, Allied Waste, Inc, Oberlin, OH 44074
File [Sowers/LAND/Willowcreek/GRO/67]

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