

**Environmental
Protection Agency**

John Kasich, Governor
Bob Taft, Lt. Governor
Linda Landolt, Director

July 19, 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:

May 2009 Monitoring Event Report
Notification of 3745-27-10(E)(5)(c) Appendix 1 and II Assessment Well
Detections
Semiannual Assessment Activities Report dated July 22, 2009

The document is dated July 22, 2009 and was received on July 23, 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. 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 May 11-13, 2009. The sampling results were received by Ohio EPA within 75-days in accordance with OAC 3745-27-10(C)(10).

While some statistically significant increases were initially identified, upon resample none were confirmed at any of the detection monitoring wells. No volatile organic compounds were detected at any detection monitoring wells.

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-

Mike Heher
BFIO Carbon Limestone Landfill
July 19, 2010
Page 2

131B and AW-127A. In addition, assessment well AW-135C had a confirmed detection of the VOC Trichloroethene below the MCL. Other assessment wells installed to determine horizontal and vertical extent did not detect VOCs.

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

Ohio EPA has identified the following violation:

1. 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:

1. 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 they 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 19, 2010.

Mike Heher
BFIO Carbon Limestone Landfill
July 19, 2010
Page 3

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] DSIWM #2714, 2717, 3359