



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 10, 2011

Board of Preble County Commissioners
101 East Main Street
Eaton, Ohio 45320

**RE: Preble County Landfill, Preble County, Ohio EPA
Notice of Violation**

Dear County Commissioners:

The owner or operator of the Preble County Landfill (Facility) is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10(D)(5) requiring the owner/operator to collect semiannual samples from each monitoring well screened in the upper most aquifer system. The owner or operator of the Facility is also in violation of OAC Rule 3745-27-10(D)(7) requiring the determination of any statistically significant increase over background at ground water monitoring well R-2. Well R-2 has been reported as damaged 46 feet below grade and could not provide representative ground water samples or water level information during the Fall 2010 semiannual sampling event. Well R-2 is in the bedrock aquifer which is considered one of two upper most aquifers at this facility and reportedly cannot be repaired. The March 18, 2011 letter from Preble County Landfill states a replacement well R-2R will be installed by May 15, 2011, and sampled during the Spring 2011 semiannual sampling event. To return to compliance the bedrock well R-2, or a replacement well (R-2R), must be sampled on a semiannual basis. In accordance, with OAC Rule 3745-27-10(D)(5)(e) a replacement well shall be statistically analyzed as soon as possible but no later than one year from installation.

An explanation for the delay of a replacement well was documented in a letter from Preble County dated March 18, 2011, received by Ohio EPA, Southwest District Office on March 21, 2011. No sample was collected from well R-2 for a fall 2010 statistical evaluation and according to the March 18, 2011 letter from the County, no sample or statistical evaluation would occur. The letter also acknowledges the Facility's awareness of a rule violation and indicates intent to prevent future violations by installing and sampling well R-2R during the Spring 2011 sampling event.

In addition, compliance with OAC Rule 3745-27-10(B)(2) cannot be determined at this time. Specifically, this rule requires the owner/operator to have a sufficient number of

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wells where the uppermost aquifer system exists more than one hundred fifty (150) feet beneath the recompacted clay liner and installed at appropriate depths to yield ground water samples to ensure detection of any contaminant release from the facility. For Ohio EPA to determine compliance the owner or operator needs to repair or install a new monitoring well to satisfy this rule.

Ohio EPA appreciates formal notification of the facility's effort to comply with rule and may reassess compliance with OAC Rule 3647-27-10(B)(2) once the replacement well is constructed and sampled. If you have questions please contact Greg Brown or me at (937) 285-6357.

Sincerely,

A handwritten signature in black ink that reads "Jill Oberding". The signature is written in a cursive, flowing style.

Jill Oberding, R.S.
Division of Materials and Waste Management

cc: Greg Brown, Ohio EPA, DDAGW, SWDO
Gary Walker, Preble County Health Department
John Jones, Preble County Landfill

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