



State of Ohio Environmental Protection Agency

**Southwest District Office**

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

November 23, 2007

Tremont Landfill Company  
c/o Mr. Tom Danis  
110 North Main Street, Suite 1300  
Dayton, Ohio 45402

**Re: Tremont Landfill, Clark County  
Response to June 4, 2007 Notice of Violation**

Dear Mr. Danis:

Ohio EPA, Division of Solid & Infectious Waste Management (DSIWM), Southwest District Office (SWDO) has completed the review of your response dated September 19, 2007 to the Notice of Violation (NOV) letter issued by Ohio EPA, dated June 4, 2007. The June 4<sup>th</sup> NOV pertained to violations and deficiencies that were identified in your 2006 Annual Report. While we appreciate the changes that have been made to address our concerns, our review of your response identified several items which require further clarification and/or changes. Specifically, those items are as follows:

- 1) Comment #4 pertains to the cost estimates for Section I, "Groundwater Monitoring" of the Annual Report. The cost estimates associated with this section (broken down in the cost estimate worksheet located in Section F) lists five (5) detection wells on line (a) and four (4) assessment wells on line (c). This is inconsistent with information contained in the 2002 Annual Report which list eight (8) wells. In addition, Section VI of this worksheet lists seventeen (17) groundwater monitoring wells. The number of groundwater monitoring wells listed in these sections are inconsistent with previous documents submitted to this office. Specifically, Table #1 in the 2007 First Semiannual Sampling Report dated August 3, 2007 lists a total of eighteen (18) groundwater monitoring wells.

**Please ensure that all sections (sections I & VI) of the cost estimate worksheet pertaining to groundwater monitoring wells report the same number of wells. Please revise the cost estimate to reflect the correct**

**number of groundwater monitoring wells or explain why all of the wells previously identified are not factored into the cost estimate.**

- 2) In your response to comment #5 (page 4) part of the initial deficiency was addressed, however item (c) was not.

**Please explain in detail why the total annual costs for groundwater monitoring are less than the total annual costs that were identified in the 2002 Annual Report.**

- 3) Comment #9 in the June 4, 2007 correspondence pertains to inadequate cost estimates for leachate line inspection and cleaning. In your response (page 6), you indicate that the cost estimate has been revised to include the leachate forcemain from the main sump to the storage tanks. Please be advised that Ohio Administrative Code (OAC) Rule 3745-27-19(K)(3) applies to the "collection pipe network" and not just the forcemain. Plan drawings previously submitted to this office (copies of two are included) depict leachate collection laterals in the leachate collection system subject to this rule requirement and should be included in the cost estimate.

**Please revise the cost estimate to include the correct amount of piping within the leachate collection network.**

- 4) In response to comment #12 (page 7), you indicated that the sum of line items V(d)(e) & (f) is \$2,700/year and that no cost adjustment was made.

**Please revise the multipliers on the cost estimate worksheet to reflect this dollar amount.**

- 5) In response to comment #13 (page 7), you indicated that your leachate cost estimate is \$0.11/gallon based on a contract you have secured with AST Environmental. Pursuant to OAC 3745-27-15(C)(1)(a) cost estimates are to be calculated "based on the closure costs at the point in the operating life of the facility when the extent and manner of its operation would make the closure the most expensive, and shall be based on a third party conducting the closure activities". Additionally, OAC 3745-27-19(M)(6) requires the cost estimate to be adjusted annually for inflation.

**Ohio EPA/DSIWM/SWDO assumes this cost estimate is subject to change, depending on the length of the contract period and those changes will be accurately reflected in Annual Report.**

- 6) In your response to comment #15 (page 8) which pertains to cost estimates for the explosive gas extraction and/or control system, you cite the fact that you currently have a third party contractor operating the gas collection/extraction system and as such, you have "conservatively" provided a cost estimate of \$10,000.

Given the situation with the contractor currently operating the gas extraction/collection system, Ohio EPA/DSIWM/SWDO is of the opinion that the cost estimate provided is low. As was stated in the June 4, 2007 correspondence, Ohio EPA typically sees values of \$60,000 - \$240,000 for gas system operation and maintenance.

**Please revise your cost estimate for this landfill component to reflect proper operation and maintenance or provide justification for the \$10,000 estimate provided.**

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Clean Air Act, or Resource Conservation and Recovery Act remedying conditions resulting from any release of contaminants to the environment.

Please revise and resubmit the 2006 Financial Assurance Post Closure Cost Estimate for the Tremont Landfill to Ohio EPA, SWDO in a timely manner. Should you have any question, please contact me at (937) 285-6045 or Joleen Cook at (937) 285-6071.

Sincerely,



Tracy L. Buchanan, R.S.

Division of Solid & Infectious Waste Management

cc: Anne Kaup-Fett, Clark County Combined Health District  
Dale Vitale, Ohio Attorney General's Office  
Tomas T. Terp, Attorney, Taft, Stettinius & Hollister  
Raphl Hirshberg, Civil and Environmental Consultants, Inc.  
Carl Mussenden, Ohio EPA, Compliance, Monitoring & Enforcement Unit  
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TLB\bp

