

**Environmental
Protection Agency**

John Kasich, Governor
Robert Taft, Lt. Governor
Michael S. Geringer, Director

August 17, 2011

**RE: HOLMES COUNTY LANDFILL
GROUND WATER
NOTICE OF VIOLATION**

Joe Miller, Chairman
Holmes County Board of Commissioners
2 Court Street, Suite 14
Millersburg, OH 44654

Dear Mr. Miller:

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

Ground Water Detection Monitoring Report December 2009 and Notification of Statistically Significant Increase over Background for Sodium at UZ-1 and LZ-3R, Holmes County SLF, Dated February 24, 2010.

On behalf of Holmes County Sanitary Landfill (SLF), North Point Engineering Corporation (NPE) and KU Resources, Inc. (KU) prepared and submitted to the Ohio EPA, the above referenced document. The document was received by Ohio EPA, Northeast District Office (NEDO) on February 25, 2010. Holmes County SLF is operating under the 2003 Revision to Ohio Administrative Code (OAC) Rule 3745-27-10, and at the time of this sampling event, was conducting a Detection Monitoring Program in accordance with OAC Rule 3745-27-10(D).

The December 2009 Semiannual Ground Water Monitoring for July to December 2009 was conducted on December 15 and 16, 2009, and the report also serves as a notification of a statistically significant increase (SSI) over background for sodium at 48.9 mg/L in the Upper Significant Zone of Saturation (SZS) detection monitoring well UZ-1, and an SSI for sodium at 92.3 mg/L in the Lower SZS detection monitoring well LZ-3R during the December 2009 sampling event. In addition, a verification resampling event was conducted on February 4, 2010 as part of the December 2009 event. The February 4, 2010 Resampling Event resulted in a confirmed SSI at a sodium concentration of 51.9 mg/L at UZ-1 and 124.0 mg/L at LZ-3R.

The facility submitted an alternate source demonstration (ASD) for the two SSIs dated May 21, 2010, which was received at Ohio EPA, NEDO on May 24, 2010. This letter pertains to the review of the December 2009 Ground Water Detection Monitoring Report only.

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The detection monitoring wells were analyzed for Appendix I parameters #1-78 of OAC 3745-27-10. Potentiometric surface maps were compiled for both the upper and lower SZS.

Ohio EPA has identified the following violation:

1. Holmes County SLF is in violation of OAC Rule 3745-27-10 (C)(1), which requires the ground water monitoring program to include consistent sampling and analysis procedures and statistical methods that are protective of human health and the environment, and that are designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells.

The ground water monitoring wells with SSIs for sodium, UZ-1 and LZ-3R were both originally purged on December 15, 2009, and sampled on December 16, 2009 for the December 2009 sampling event. The verification resamples for the two SSIs were obtained on February 4, 2010, within six hours of purging on the same day. The two sampling methodologies were inconsistent for comparison. There is a disparity in turbidity in the wells between the original and repeat sample. At LZ-3R, the turbidity in the December sample was 9.52 nephelometric turbidity units (NTUs), and in the February resample 50.4 NTU. At UZ-1, the turbidity was 95.2 NTU during the December sampling event, and 5.88NTU during the February resampling event. It is unclear if there is a correlation between sodium and turbidity, and if the samples are representative of actual ground water conditions. For any future verification samples of an SSI, consistent sampling methodologies are imperative.

To return to compliance with this rule, the owner/operator needs to follow the Ground Water Detection Monitoring Plan (GWDMP). The GWDMP specifically refers to the employment of low flow purging and sampling under the section Sampling and Analysis for Low Flow Purging/Sampling. Low flow purging/sampling techniques may be employed using a non-dedicated bladder pump to minimize interferences due to turbidity, and monitoring wells should be purged until the indicator field parameters stabilize. If there is not a sufficient volume of water or water column height to employ a bladder pump, then the owner/operator must make every attempt to redevelop the wells exhibiting elevated turbidity. If sampling personnel identify elevated turbidity that does not clear before sampling, then the sampling personnel should conduct redevelopment activities instead, and come back a week or two later to hopefully collect a more representative ground water sample. The GWDMP states a turbidity level of < 10 NTUs is desirable prior to sampling.

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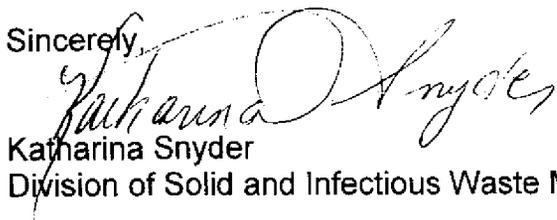
Ohio EPA has the following comments:

2. At monitoring well UZ-7, the turbidity at the time of sampling was over 30 times greater than directly after purging the day before from 6.01 NTU to 208 NTU the following day. The well was not purged dry, and no sample was taken following purging. If possible, samples are to be obtained following purging.
3. Some of the field Well Purging and Sampling Reports are illegible. Please submit clear copies with any subsequent reports (Examples: Turbidity UZ-6, No. Well Volumes Removed for UZ-10, etc.).
4. The sampling date is incorrect for UZ-7. The report indicated it was purged from time 1440 to 1501 December 15, 2009, and sampled on the same day at time 1140. It is likely this date should actually be December 16, 2009.

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 respond to this letter by September 17, 2011. If you have any questions, contact me at (330) 963-1257.

Sincerely,



Katharina Snyder
Division of Solid and Infectious Waste Management

KS:cl

cc: Kay Springer Amey, DDAGW-NEDO
Jon Croup, Holmes County Health Department
File: [Sowers/LAND/HOLMES/GRO/38] #3118