



**Environmental
Protection Agency**

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

June 17, 2011

Mr. Joseph Balog
Norton Environmental
6055 Rockside Woods Blvd., Suite 100
Independence, Ohio 44131

RE: Royalton Road Landfill - 2010 Second Semiannual Ground Water Assessment Activities Report with Determination of Rate, Extent, and Concentration, Notice of Violation

Dear Mr. Balog:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the following document for the Glenwillow Closed Municipal Solid Waste Landfill:

- 2010 Second Semiannual Ground Water Assessment Activities Report with Determination of Rate, Extent, and Concentration

The document is dated February 18, 2011. The document was received at the Northeast District Office of Ohio EPA on February 22, 2011. The determination of rate, extent, and concentration is required by Ohio Administration Code (OAC) 3745-27-10(E)(10), and the Semiannual Assessment Activities Report is required by OAC 3745-27-10(E)(12). The document also includes the results of the Second Semiannual Sampling Event as required by OAC 3745-27-10(C)(10) and (E)(5). The sampling event was conducted December 6 through 8, 2010.

Of the 20 assessment significant zone of saturation (SZS) monitoring wells, 17 were sampled for the complete Appendix I and II parameter lists. Only a partial sample could be collected from MW4-97, due to low yield, and wells WMW-3 and MW-14S were dry.

The results of the ground water quality assessment sampling continue to indicate that the ground water has been adversely impacted by the landfill. Currently, the rate, extent, and concentrations are the same as previously reported, and the impacted area has not changed. Also, the analytical results are consistent with previous sampling events. Several volatile organic compounds (VOC's) were detected downgradient, as well as elevated indicator parameters.

The Ground Water Monitoring Program at the closed Royalton Road Landfill is regulated by OAC 3745-27-10 (as effective August 15, 2003).

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Ohio EPA has reviewed the above referenced documents and has noted the following:

Violation:

OAC 3745-27-10(C)(10): Submission of results. All ground water elevation, sample analysis and statistical analysis results generated in accordance with paragraphs (B), (C), (D), (E) and (F) of this rule shall be submitted to Ohio EPA not later than seventy-five days after sampling the well.

The wells were sampled on either December 7, 2010 or December 8, 2010. The report was received by the Ohio EPA on February 22, 2011, which is 77, or 76 days after the wells were sampled.

The owner/operator should ensure future reports are received by the Ohio EPA no later than 75 days after sampling the wells.

Additional Information Needed to Determine Compliance

1. Compliance with OAC 3745-27-10(E)(10), requiring the owner/operator to make a semiannual determination of rate, extent, and concentration, cannot be determined at this time.

Monitoring wells MW-6 and MW-10D were omitted from Table 5, which presents a comparison of parameters above background. The reason for the omission is unclear since several parameters were reported above the established background, and unaffected well WMW-2 was included in the table.

The owner/operator should provide an explanation as to why these wells were not included and revise the report as necessary.

2. Compliance with OAC 3745-27-10(C)(1)(a), requiring the owner/operator to use the procedures documented within the sampling and analysis plan, cannot be determined at this time.

The sampling and analysis plan indicates that the wells will be inspected prior to sampling activities, and that a Monitoring Well Integrity Report will be filled out. Considering that OAC 3745-27-10(C)(10) requires that all data generated during the sampling event be submitted, this integrity report should be included in each semiannual data report. However, it is not included in this document.

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The owner/operator should provide the Ohio EPA with the well integrity report for this sampling event or indicate why it is missing.

Recommendation

The Ohio EPA recommends that the owner/operator repair monitoring well MW-10D as soon as possible to ensure the integrity of the borehole pursuant to OAC 3745-27-10(B)(3)(a).

Monitoring well MW-10D was damaged prior to the sampling event, however, a sample could be collected. The integrity of the sample was not compromised, as evidenced by the time-series graphs presented in the report. The owner/operator also indicated that the well would be repaired prior to the next sampling event.

The Ohio EPA recommends that the owner/operator repair the well as soon as possible to avoid compromising the well's integrity.

Statement

Monitoring well MW-14S was not sampled during this event because the well was dry. The report indicates that the owner/operator will submit a variance request to designate monitoring well MW-14S as low yield, as was done with WMW-3 and MW4-97. A variance is required because there is no specific rule under OAC 3745-27-10(E) to address an alternate parameter list for low yield wells.

Conclusion

A non-statistical review of the data indicates that the ground water in the vicinity of the majority of the SZS monitoring wells has been impacted by the landfill. The owner/operator should make the necessary revisions to the Ground Water Quality Assessment Report (GWQAR) and Corrective Measures Plan (CMP), and submit the plans in their entirety to the Ohio EPA and any other required recipient.

The owner/operator should also submit information needed to determine compliance with OAC 3745-10(E)(10) and OAC 3745-10(C)(1)(a) within 30 days of receipt of this letter.

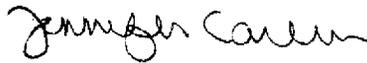
Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the

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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.

If you have any technical questions regarding this review, please contact Russ Kocher at of the Division of Drinking and Ground Waters at (330) 963-1203. Please submit all correspondence to Jennifer Carlin, Division of Materials and Waste Management, NEDO, Ohio EPA, 2110 East Aurora Road, Twinsburg, OH 44087.

Sincerely,



Jennifer Carlin
Environmental Specialist
Division of Materials and Waste Management

JC/cl

cc: Kathryn Epp, NEDO-DDAGW
Dane Tussel, Cuyahoga County General Health District
File: [Kurko/LAND/Royalton Road LF/GRO/18]
DMWM ID #(3777a,3777b)