



**Environmental  
Protection Agency**

The Commissioner, Governor  
Lieutenant Governor  
Commissioner, Director

May 11, 2010

**RE: USA WASTE GENEVA LANDFILL  
GROUND WATER MONITORING  
RETRACTION OF NOV/COMPLIANCE  
NOTIFICATION**

Mr. Evan Jahn  
USA Waste Geneva Landfill  
4339 Tuttle Road  
Geneva, Ohio 44041

Dear Mr. Jahn:

The Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) reviewed the April 13, 2010 letter written in response to Ohio EPA's March 18, 2010 notice of violation regarding the September 2008 Semiannual Ground-Water Monitoring Report. The document was received on April 14, 2010. Waste Management prepared the document on behalf of USA Waste Geneva Landfill, Inc. (USA Waste). The facility is currently owned and operated by USA Waste. The document was submitted in accordance with Ohio Administrative Code (OAC) 3745-27-10 (as effective August 15, 2003).

Upon review of the letter, Ohio EPA identified the following:

**OAC Rules 3745-27-10(C)(1)(a) and 3745-27-10(C)(2)(f)**

USA Waste was cited in violation of OAC Rules 3745-27-10(C)(1)(a) and 3745-27-10(C)(2)(f) for failure to provide a properly completed chain of custody form for well MW-2RR in the September 2008 Semiannual Ground-Water Monitoring Report and, thereby, failure to use procedures documented within the sampling and analysis plan.

In response, USA Waste submitted the completed documentation and confirmation of proper chain of custody procedures as provided by the laboratory. Therefore, the violation of OAC Rules 3745-27-10(C)(1)(a) and 3745-27-10(C)(2)(f) has been retracted.

**OAC Rules 3745-27-10(B)(3) and 3745-27-10(C)(1)**

USA Waste was cited in violation of OAC Rules 3745-27-10(B)(3) and 3745-27-10(C)(1) for failure to properly develop and obtain representative sample results from MW-2RR (due to elevated turbidity >1000 NTU) for the September 2008 Semiannual report.

USA Waste responded to the March 18, 2010 notice of violation by reporting that monitoring well WM-2RR was properly developed in February 2009. The monitoring well was resampled in March 2009 using low-flow sampling techniques, and the turbidity was

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detected below 100 NTU. Turbidity was also found to be low during a subsequent sampling event conducted later in 2009 (and submitted to Ohio EPA on November 23, 2009). Therefore, USA Waste has returned to compliance.

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.

If you have any technical questions regarding this review, please contact Kathryn Epp at (330) 963-1233. Please submit all correspondence to Colum McKenna, Division of Solid and Infectious Waste Management, Northeast District Office, Ohio EPA, 2110 East Aurora Road, Twinsburg, Ohio 44087.

Sincerely,



Colum McKenna  
Division of Solid and Infectious Waste Management

CM:cl

cc: Kathryn Epp, DDAGW, NEDO  
Raymond Saporito, ACHD  
File [Sowers/Geneva Landfill/GRO/04]  
Proj Id #2070