

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Dana Karpasch, Director

November 19, 2010

**RE: HOLMES COUNTY LANDFILL
EXPLOSIVE GAS MONITORING
NOTICE OF VIOLATION**

CERTIFIED MAIL

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

Dear Mr. Miller:

According to our records, the Ohio Environmental Protection Agency (Ohio EPA) Northeast District Office (NEDO) has not been receiving explosive gas monitoring data for the Holmes County Landfill. Failure to conduct and submit explosive gas monitoring is a violation of the following requirements in Ohio Administrative Code (OAC):

1. OAC Rule 3745-27-19(B)(1) which states "...The owner or operator shall conduct all...operation at a sanitary landfill facility in strict compliance with the applicable authorizing document, including permit to install...or any authorizing document listed in paragraph (l) of rule 3745-27-09 of the Administrative Code..."

Paragraph l of rule 3745-27-09 of the Administrative Code includes the explosive gas monitoring plan for this landfill.

2. OAC Rule 3745-27-12(E)(3) which states "...The explosive gas monitoring, sampling and reporting procedures document shall be written with such detail and clarity as to be readily understandable by monitoring personnel conducting sampling at the site...This document shall address...Detailed step-by-step discussion of how to report sampling results to appropriate authorities. Results shall be submitted to the appropriate district office of Ohio EPA and the local health district on a form prescribed by the director. The results shall be submitted within fifteen days of the date of sampling..."

In order to return to compliance with these rules, the owner or operator must conduct monthly explosive gas monitoring activities in accordance with the approved explosive gas monitoring plan and submit the results to Ohio EPA and the health district within fifteen days of sampling.

Joe Miller, Chairman
Holmes County Board of Commissioners
November 19, 2010
Page 2

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 questions concerning this letter, please contact me at (330) 963-1257. Submit a response to this notice of violation by December 19, 2010.

Sincerely,



Katharina Snyder
Division of Solid and Infectious Waste Management

KS:cl

cc: Jon Croup, Holmes County Health Department
File: [Sowers/LAND/HOLMES/EXP/38]

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

7010 1060 0000 0089 9920

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

KS 11-19-10

Postmark Here

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

Sent To
 Street, Apt. or PO Box
 City, State, .

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

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

2. Article Number

(Transfer from service label) 7010 1060 0000 0089 9920 K. Snyder 11-19-10

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 X *[Signature]*

B. Received by (Printed Name) C. Date of Delivery
 ROBERT J SIGLER 11-22-10

D. Is delivery address different from Item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes