

**Environmental
Protection Agency**

• Governor
• Lt. Governor
• Director

September 2, 2011

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

CERTIFIED MAIL

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 documents:

- Ground Water Detection Monitoring Report December 2010 Semiannual Event, dated March 8, 2011; and
- Addendum to December 2010 Ground Water Detection Monitoring Report Semiannual Event, dated March 31, 2011, Holmes County SLF.

On behalf of Holmes County Sanitary Landfill (SLF), North Point Engineering (NPE) and KU Resources (KU) prepared and submitted the above referenced documents to Ohio EPA. The Ground Water Detection Monitoring Report, dated March 8, 2011, was received by Ohio EPA, Northeast District Office (NEDO) on March 9, 2011. The addendum to the December 2010 Ground Water Detection Monitoring Report, dated March 31, 2011, was received by NEDO on March 31, 2011. Holmes County SLF is operating under the 2003 Revision to Ohio Administrative Code (OAC) Rule 3745-27-10.

KU purged the monitoring wells on December 27, 2010, and sampled on December 28, 2010 for Appendix I parameters. Monitoring well LZ-2 was not sampled for all of Appendix I due to low water levels. Water levels did not sufficiently recover until March 7, 2011 to permit sampling in LZ-2. The March 31, 2011 addendum contained sampling data for Appendix I parameters 1, 2, 9, 11, 12, 13, 63, 64, 71, 72, and 73 from monitoring well LZ-2.

Interwell statistics revealed verified Statistically Significant Increases (SSIs) for sodium in wells LZ-2, UZ-1, and UZ-12 and for potassium in wells UZ-1 and UZ-12.

Ohio EPA has identified the following violations:

1. Holmes SLF remains in violation of OAC 3745-27-10(E)(1) requiring a ground water quality assessment monitoring program for UZ-1, UZ-12, LZ-2 and LZ-3R. The owner or operator has failed to comply with the following requirements regarding ground water quality assessment monitoring. Unless the director approves the report submitted in accordance with paragraph (D)(7)(c) of this rule, the owner or operator shall implement a ground water quality assessment plan capable of determining the concentration, rate, and extent of migration of waste-derived constituent(s) in the ground water upon determining a statistically significant increase over background in accordance with paragraph (D)(7) of this rule. The owner or operator shall implement and comply with the ground water quality assessment plan and the requirements of this rule.

Detection monitoring wells UZ-1, LZ-3R, and LZ-2 entered assessment monitoring on July 13, 2010. They were joined in assessment monitoring by well UZ-12 on January 7, 2011. To date, Holmes County SLF has neither submitted a ground water quality assessment plan, nor conducted assessment ground water monitoring activities at these wells.

To return to compliance with this rule, the owner/operator needs to submit a ground water quality assessment plan and initiate the required assessment sampling activities, beginning with the Appendix I and II sampling at all four of these assessment wells and the appropriate background wells.

2. Holmes SLF is in violation of OAC Rules 3745-27-10 (C)(1) and 3745-27-10(C)(1)(a) 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; and requires the owner/operator to document these consistent sampling and analysis procedures in a plan and to follow it.

The ground water sample from monitoring well LZ-2 was not representative of ground water quality for the lower zone because the complete sample was obtained on March 7, 2011 without purging.

To return to compliance with these rules, the owner/operator needs to revise the plan to more clearly and appropriately specify how low yield wells will be purged and sampled. The owner/operator is advised to adhere to Chapter 10 of the

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Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring. The owner/operator should implement and follow the revised plan during the next semiannual sampling event at Holmes SLF.

Please submit a response to this letter by October 2, 2011.

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, contact me at (330) 963-1257.

Sincerely,



Katharina Snyder
Division of Materials and Waste Management

KS:cl

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