



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

November 12, 2008

**RE: SUMMIT C&D DISPOSAL
REVISED HYDROGEN SULFIDE
MONITORING PLAN
NOTICE OF VIOLATION**

CERTIFIED MAIL

Mr. Richard Eslich, Sr.
Eslich Wrecking Company
3525 Broadway Ave. NE
Louisville, Ohio 44641

Dear Mr. Eslich:

On October 6, 2008, Ohio Environmental Protection Agency (Ohio EPA) received a document dated October 3, 2008 and titled, *"Response to Summit C&D Disposal Revised Hydrogen Sulfide Monitoring Plan Notice of Deficiency from Ohio EPA Northeast District Office, dated August 26, 2008 for Summit C&D Disposal, Inc. Facility, Norton, Summit County, Norton, Ohio."* Ohio EPA has reviewed the response. This letter provides a notice of violations identified during the review.

In summary, the owner/operator chose not to revise the hydrogen sulfide plan regarding some of the deficiencies listed in Ohio EPA's letter dated August 26, 2008.

The hydrogen sulfide detection and response plan is required by Director's Final Findings & Orders ("DFF&O") issued April 11, 2008. Order 20 states:

- "20. Not later than sixty (60) days after the effective date of these Orders Respondent shall prepare and submit to Ohio EPA a plan for detection and response to hydrogen sulfide and other odors at the Facility. The plan for detection and response to hydrogen sulfide and other odors shall, at a minimum, provide for following:
- a. Periodic inspections of the Facility to detect the presence of hydrogen sulfide or other gases that pose a nuisance, cause an offensive odor, or pose a threat to public health or safety or the environment;
 - b. A description of the measures to be implemented if hydrogen sulfide or other gases that pose a nuisance, cause an offensive odor, or pose a threat to public health or safety or the environment are present at the facility;

- c. The creation of a log upon which Respondent shall record the following: the date of inspection; a description of the location at which hydrogen sulfide or other gases that pose a nuisance, cause an offensive odor, or pose a threat to public health or safety or the environment was detected; and a description of the measures implemented to eliminate the presence of hydrogen sulfide or other gases that pose a nuisance, cause an offensive odor, or pose a threat to public health or safety or the environment. The hydrogen sulfide inspection log shall be maintained at the Facility and provided to Ohio EPA and the Barberton Health District upon request."

More information and details¹ are needed in the hydrogen sulfide monitoring plan to comply with DFF&O No. 20. Violations are listed below. For each item below, the "response" refers to the October 3, 2008 document. Please revise the hydrogen sulfide monitoring plan to address the following:

VIOLATIONS

Section 2.1 Monitoring Locations, Methods, and Frequency

1. Source Identification: The response indicates that emission source identification will be attempted only during normal operation hours. Ohio EPA's experience at other C&D landfills is that odors are often most concentrated in the late evening and early morning hours which is outside Summit C&D Disposal Inc.'s normal operating hours.

The plan must contain provisions for additional surveillance outside of normal operating hours based upon complaints received by Ohio EPA and/or the Akron Regional Air Quality Management District (ARAQMD) or observed odor events noted by Ohio EPA and/or ARAQMD. Please revise the plan to include the potential for hydrogen sulfide monitoring during weekends, early mornings and evenings.

Section 2.2 Sampling and Analysis Procedure and Equipment

2. Periodic Facility Survey with a Meter: The response indicates that periodic means semiannual. Thus, the owner/operator intends to monitor hydrogen sulfide with a meter only two times per year.

Please revise the plan to include at least quarterly monitoring with a meter capable of detecting hydrogen sulfide at a minimum level of 5 parts per billion.

3. Regarding hydrogen sulfide monitoring with a meter, the response does not include a description of monitoring at evenly spaced intervals across the limits of construction and demolition debris placement and at the boundary of the facility to identify the origin of hydrogen sulfide releases.

Please include a description of hydrogen sulfide sampling using monitoring equipment at evenly spaced intervals across the limits of construction and demolition debris placement and at the boundary of the facility to identify the origin of hydrogen sulfide releases.

4. Procedures: The response did not specify a hydrogen sulfide meter make and model. Also, the Response did not include a description of calibration procedures or when to calibrate the meter.

Please revise the plan to include the meter make and model and calibration procedures and calibration schedule.

Section 2.3 Investigation upon Receipt of a Complaint

5. The response indicates that once a complaint is received, the complaint response will include monitoring for hydrogen sulfide with a meter within 48 hours.

Please revise the plan to specify that the owner/operator will do hydrogen sulfide monitoring with a meter within 24 hours of receipt of the complaint.

6. The response states in part, "If Ohio EPA receives a verified complaint after normal business hours and believes the complaint warrants an immediate investigation to be protective of the public safety then the operator will provide immediate access to the site for the appropriate regulatory officials to perform a site inspection."

Regarding the above, the complaint does not need to be a "verified" complaint in order for the owner/operator to quickly respond to the complaint. Also, the receiver of the complaint does not need to be Ohio EPA. The owner/operator must respond to the complaint whether it is received by the Ohio EPA, facility, local health department, local air agency or other agency. Please revise the plan to address this item.

Section 3.0 Hydrogen Sulfide Mitigation Procedures

7. The response indicates that the hydrogen sulfide mitigation procedures will include adding leachate treated with OrganiSol™ and Microbe-Lift™ to hydrogen sulfide vents in the waste mass.

In the previous notice of deficiency, Ohio EPA asked, "Could the owner/operator use less liquid during when introducing the "treated leachate" into the landfill?"

The response includes, "No, the owner/operator needs to recirculate treated leachate on a consistent schedule throughout as much of the debris disposal area as practical." Ohio EPA disagrees and will not approve of leachate recirculation for this facility.

In addition, Ohio EPA will not approve of the application of treated leachate into hydrogen sulfide vents located on surface of the landfill. This is because the treated leachate method is effective when the substrate remains wet, such as in the leachate sumps. On the other hand, the hydrogen sulfide vents located on the slopes or on top of the landfill, are not normally soaked. Therefore, the only way of keeping the debris wet would be through leachate recirculation and Ohio EPA is not going to approve of leachate recirculation at this facility. Ohio EPA will only approve of the addition of treated leachate to the leachate in the leachate sumps. Please revise the plan to address the above.

Attachment A, SWPP and Hydrogen Sulfide Weekly Inspection Form

8. The SWP3 (storm water pollution prevention plan) and hydrogen sulfide weekly inspection form does not have spaces for required items listed below.
 - a. Hydrogen sulfide monitoring equipment readings.
 - b. Time of each air sampling.

Please revise the monitoring form to have spaces for the above items.

9. Considering the above items that should be added to the form, Ohio EPA requests that the owner/operator create a separate form for hydrogen sulfide monitoring.

Please revise the plan to include a copy of a separate form to record hydrogen sulfide monitoring results.

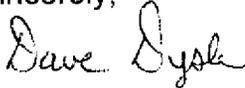
COMMENTS

The Response indicates that the attached US EPA letter, dated August 22, 2006, contained only odd number pages. A copy of the entire US EPA letter is attached.

Mr. Richard Eslich, Sr.
Eslich Wrecking Company
November 12, 2008
Page 5

Please amend the plan accordingly and resubmit the document for review not later than thirty days after receipt of this notice of violation. If you have any questions regarding this notice of violation, please call Dave Dysle at (330) 963-1286.

Sincerely,



Dave Dysle
Environmental Specialist
Division of Solid and Infectious Waste Management

DD:cl

att: US EPA letter, dated August 22, 2006

cc: Kelly Jeter, DSIWM, NEDO
Robin Nichols, DSIWM-Legal
Sari Mandel, AGO
Mike Meusel, Barberton Health Dept.
File: [Sowers/CONS/Summit C&D Disposal/COR/77]

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