



State of Ohio Environmental Protection Agency

Northeast District Office

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

November 26, 2007

**RE: NOTICE OF VIOLATION  
EXPLOSIVE GAS MONITORING REPORT  
HARVARD REFUSE LANDFILL  
CUYAHOGA COUNTY**

Stanley Lojek, President  
Harvard Refuse, Inc.  
7720 Harvard Avenue  
Cleveland, OH 44105

**CERTIFIED MAIL**

Dear Mr. Lojek:

This letter provides a notice of violations and comments regarding the October 2007 explosive gas monitoring report for Harvard Refuse Inc. (HRI). HRI includes a solid waste landfill located at 7720 Harvard Avenue, City of Cleveland, Cuyahoga Heights, and Garfield Heights, Cuyahoga County. Below are the violations and comments.

**Violations**

1. **Ohio Administrative Code (OAC) 3745-27-12(E)(2)(a) and (b)** states,  
*"The following parameters shall be monitored at all permanent monitor locations and punch bar stations, as noted, in the following order: (a) Gas pressure in the permanent monitor. (b) Initial combustible gas concentration in per cent methane by volume (% CH<sub>4</sub> v/v). The monitoring equipment shall have a detection limit below twenty-five percent of the lower explosive limit. For the purposes of this rule "initial" means immediately after the gas pressure measurement so as not to inadvertently vent the monitor.*

*[Comment: The monitor should not be vented prior to measuring the concentration of combustible gas.]"*

Each monitor needs to have a cap and sampling port in order to measure gas pressure at each monitor. HRI is in violation of the above rule because not all of the monitors have caps and sampling ports. HRI must complete the installation of caps and sampling ports on all monitors in order to be able to comply with the above rule.

To achieve compliance, future explosive gas monitoring reports must include gas pressure in each monitoring well. Page 15 of the approved explosive gas monitoring plan (EGMP), dated July 2003, also indicates that the monitoring parameters will include gas pressure in the monitor.

2. **Condition 1 of the approved EGMP.** Page 15 states, *"The explosive gas permanent monitors will be monitored at least weekly until the Ohio EPA grants authorization to cease monitoring."*

In addition, Condition 1 of the EGMP approval, dated August 4, 2003, states, *“The explosive gas monitoring plan shall be implemented at the Harvard Refuse Landfill, in accordance with the plan titled “Explosive Gas Monitoring Plan for the Harvard Refuse Landfill”, dated July 2003. All activities shall be conducted in strict accordance with the plans, specifications, and information submitted as part of this plan. There may be no deviation from the approved plan without the express written approval of Ohio EPA. Any future activities may require additional Ohio EPA approval.”*

HRI is in violation because the current monitoring frequency is not weekly as specified in the EGMP approval. Currently, Ohio EPA has been receiving quarterly explosive gas monitoring reports. To achieve compliance, HRI must submit weekly monitoring reports or request a change to the monitoring frequency specified in the EGMP.

### **Comments**

1. Ohio EPA recommends the following changes to the monitoring report form:
  - A. In the column labeled “threshold formula” please list 100 percent of the LEL. This is the explosive gas threshold limits at or within the facility boundary, pursuant to OAC 3745-27-12(E)(5)(a)(i).
  - B. The column labeled “Threshold Formula (T)” is left blank on all report forms. Please fill in the “Threshold Formula (T)” column for all entries.
  - C. The column labeled “Percent Gas Higher/lower Than (T)” is left blank on all report forms. Please indicate for each reading either high or low
  - D. Near the top of each report form, there was no entry for “Last Calibrated:” Please indicate the date of monitoring equipment calibration on all future monitor reports.
  - E. Near the top of each report form, there was no entry for “Calibrated Gas:” Please indicate the calibration gas on all future monitor reports.
  - F. The columns labeled “Amount Screened (FT)” were left not completed. Please indicate the length of screening in each monitor on all future monitor reports.
  - G. The gas pressure column should be labeled Pressure In. H<sub>2</sub>O, not Pressure In. H.O.
  - H. The report form has O's (not 0's) for all readings in the gas pressure column labeled “Pressure In. H.O.” It is unclear if this means that the pressure readings could not be taken due to a lack of a cap and sampling port or the actual reading was zero. Ohio EPA recommends that when a monitor well does not yet have a cap with a sampling port, please indicate “NS” for no sample in the “Pressure In. HO” column.

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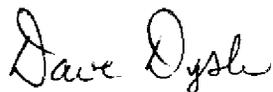
2. This comment is regarding explosive gas management documentation. Ohio EPA's letter dated June 30, 2005, states in part, *"In closing, Ohio EPA notes that an existing flare was relocated approximately 300 feet south/southeast of its former location on the Cleveland unit of the facility. During our site visits during the week of June 20, 2005, it is Ohio EPA's understanding that this particular flare was relocated approximately a year ago. It is also unknown if any of the flares for the gas collection and control system have air emissions permits. Please note that installation or relocation of any landfill flare in Cuyahoga County typically requires authorization from both city of Cleveland Division of Air Pollution Control as an air emissions source, and from Ohio EPA DSIWM as a change to any document(s) which authorized the explosive gas extraction and control system, or some additional authorization from either Ohio EPA or U.S. EPA. Please provide documentation of the necessary authorizations secured to relocate this flare."*

HRI must provide plan drawings of the existing explosive gas management systems at all sections of the solid waste landfill and respond to Ohio EPA's letter dated June 30, 2005.

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 HRI 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 comments or questions concerning this review, please feel free to contact me at (330) 963-1286.

Sincerely,



Dave Dysle  
Environmental Specialist  
Division of Solid and Infectious Waste Management

DD:ddw

cc: John Schmidt, DSIWM, NEDO  
Melinda Berry, DSIWM, CO  
Annie Snyder, City of Cleveland Health Department  
Dane Tussel, Cuyahoga County Board of Health  
David Hearne, City of Cleveland Division of Air Pollution Control  
File: [Sowers/Land/Harvard Refuse/EXP/18]

DSIWM #910