



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

March 18, 2010

RE: **USA WASTE GENEVA LANDFILL
GROUND WATER MONITORING
NOTICE OF VIOLATION**

CERTIFIED MAIL

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 Semiannual Groundwater Monitoring Report September 2008 Analytical Results. The document is dated November 26, 2008 and was received by Ohio EPA on December 1, 2009. Civil & Environmental Consultants, Inc. submitted 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 OAC 374527-10 (as effective August 15, 2003).

Upon review of the document, Ohio EPA identified the following violations:

1. **OAC Rule 3745-27(C)(1)(a)** states that the water detection monitoring plan, ground water quality assessment monitoring plan, compliance monitoring plan, and corrective measures plan must contain "*[a] written sampling and analysis plan, which documents the sampling and analysis procedures that shall be utilized in the ground water monitoring program. The owner or operator is required to use the procedures documented within the sampling and analysis plan.*"

OAC Rule 3745-27-10(C)(2)(f) states that the sampling and analysis plan must, at a minimum, include a "*Chain of custody control, including the following:*"

- (i) *Standardized field tracking reporting forms to record sample custody in the field prior to and during shipment.*
- (ii) *Sample labels containing all information necessary for effective sample tracking."*

USA Waste is in violation for failure to follow their ground water monitoring plan and for failure to properly complete a chain of custody form. The chain of custody form for well MW-2RR was not signed received by the laboratory and the laboratory did not indicate whether the sample was received at the proper temperature. Therefore, the laboratory results of MW-2RR cannot be accepted.

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To comply with these rules another sample of MW-2RR must be obtained with the appropriate chain of custody documentation provided, including whether ice was present on receipt and documented cooler temperature on receipt.

1. **OAC Rule 3745-27-10(B)(3)** states, in part, that *"All monitoring wells shall be designed, installed, and developed in a manner that allows the collection of ground water samples that are representative of ground water quality in the geologic unit being monitored..."*

OAC Rule 3745-27-10(C)(1) states, in part, that *"The ground water monitoring program shall 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."*

USA Waste is in violation for failure to obtain representative sample results. The sample results from monitoring well MW-2RR were unrepresentative due to elevated turbidity (>1000 NTU). To comply with these rules, MW-2RR should be properly developed and resampled using low flow sampling techniques to achieve a low turbidity.

Within 30 days of receipt of this letter, please provide an explanation on how USA Waste intends to remedy the violations.

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

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PS Form 3800, August 2006

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1. Article Addressed to:

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

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