



State of Ohio Environmental Protection Agency

Northeast District Office

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

July 16, 2009

**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 December 1, 2008, Ohio Environmental Protection Agency (Ohio EPA) received a document dated November 26, 2008 and titled, "*Response to Ohio EPA Letter of Notice of Violation dated November 12, 2008 Regarding the Revised Hydrogen Sulfide Monitoring Plan for Summit C&D Disposal, Inc. Landfill, Summit County, Ohio.*" Ohio EPA has reviewed the response. This letter provides a notice of violations identified during the review.

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

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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.”

Please revise the hydrogen sulfide (H₂S) monitoring plan to address the following:

VIOLATIONS

Section 1.0 Hydrogen Sulfide Preventative Measures

1. Page 1, indicates that each leachate extraction well and leachate sump will be treated with Organisol™ and Microbe-Lift™ each Friday. Ohio EPA will not approve of the addition of any liquid (treated leachate or treated water) to the leachate extraction wells. This is because the insitu bottom liner and constructed underground clay cell walls are not impermeable. Therefore, any liquids added to the leachate extraction wells may enter the ground water and flow offsite.

Please revise the plan to state that any odor control additives may only be added to leachate collection tanks, if needed. Ohio EPA requests that all leachate extraction wells and tanks be properly sealed to stop the escape of any odors. Proper seals should stop odors from escaping.

Section 2.1 Monitoring Locations, Methods, and Frequency

2. Page 1, add to the first paragraph (“During normal operations. . .”), that when odor is detected, a completed daily inspection form regarding the specific area (see item 4) will be added to the log book indicating location of H₂S vent, odor intensity and remediation performed.
3. Page 1, second paragraph, change “Conduct a weekly inspection along the facility boundaries. . .” to “Conduct a daily inspection along the facility boundaries. . .” The person doing the daily inspections will sniff and evaluate H₂S odor at each perimeter grid point. The locations of detected odors will be documented on the daily inspection form.

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4. Page 1, second paragraph, regarding the above, please add: If the odor is rated a 3 or 4, in addition to documentation and remediation, the owner or operator shall notify Akron Regional Air Pollution Control, Summit County Health Department, and Ohio EPA of the H₂S odor results within 24 hours. A copy of the daily log and a written summary of remediation shall be sent to the above three agencies within 7 days of the high odor event.
5. Page 1, second paragraph, change the form to be used during the daily inspections from the "weekly form" to the "H₂S Quarterly Field Data Log" form. However, a separate daily form must be created with the title H₂S Daily Field Data Log.
6. Please include in the narrative that the daily inspections will be completed before 9:00 a.m. each morning, Monday through Saturday. H₂S is more likely to be detected in the early morning or late evening.
7. Page 2 states, "Hydrogen sulfide monitoring with a meter will be performed at regular intervals." However, the regular intervals are not specified. Please indicate in the narrative the approximate distance in feet between each sampling location along the facility perimeter.
8. Please also add to Page 2, that each perimeter sampling point at the facility will be labeled and will correspond with the grid points of the plan drawing "H₂S Monitoring Locations." The H₂S sampling locations shall be labeled along the facility perimeter borders, such as K14 or D19.
9. Page 2, indicates an action level of 0.070 parts per million (ppm). Ohio EPA requests that the plan be revised to have the action level at .030 ppm. Please change all references to the action level in the plan to .030 ppm.

For reference, Page 8 of U.S. EPA letter, dated August 22, 2006, states "For H₂S gas, the MRLs (minimal risk levels) are 0.070 ppm for acute (0-14 day) exposure and 0.030 ppm for intermediate (14-365 day) exposure durations."

10. Page 2, the paragraph beginning with "Additional hydrogen sulfide monitoring will be performed . . ." Please change this paragraph to read, "Summit C&D Disposal, Inc. will immediately respond to an odor complaint when received from Summit County Health Department, Ohio EPA, Norton Fire Department, and/or Akron Regional Air Quality Management District. Complaint response will include the owner/operator measuring the hydrogen sulfide odors with a meter capable of detecting H₂S gas at 1 ppb along the boundary of the facility, documenting results and remediating the odor source."

Section 2.2 Sampling and Analysis Procedure and Equipment

11. The response did not specify an H₂S 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 H₂S meter make and model and calibration procedures and calibration schedule.

Section 2.3 Investigation upon Receipt of a Complaint

12. Page 3, indicates an action level of 0.070 ppm. Ohio EPA requests that the plan be revised to have the action level at .030 ppm. Please change all references to the action level in the plan to .030 ppm.

Section 3.0 Hydrogen Sulfide Mitigation Procedures

13. Page 4, indicates that if an H₂S vent is discovered, then a liquid mixture of water, Organisol™ and Microbe-Lift™ will be added to the vent. Ohio EPA will not approve of the addition of any liquid (treated leachate or treated water) to the CDD within the CDD landfill. This is because the insitu bottom liner and constructed underground clay cell walls are not impermeable. Therefore, any liquids added to the landfill may enter the ground water and flow offsite. Please revise the plan to address the above.

In addition, please revise this section to state that H₂S vents will be recapped and the landfill will be immediately inspected for any ponding of surface water. Any area of ponding on the landfill will be regraded and recapped to prevent ponding that could contribute to the generation of H₂S gas. Please include in this section the capping information found on pages 12, 13 and 14 of the U.S. EPA letter, dated August 22, 2006.

14. Page 5, indicates that additional H₂S mitigation methods include treatment of tanks and leachate extraction wells with Organisol™ and Microbe-Lift™. Ohio EPA will not approve of the addition of any liquid (treated leachate or treated water) to the leachate extraction wells. This is because the insitu bottom liner and constructed underground clay cell walls are not impermeable. Therefore, any liquids added to the leachate extraction wells may enter the ground water and flow offsite.

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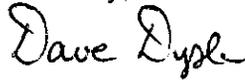
Please revise the plan to state that any odor control additives may only be added to leachate collection tanks, if needed. Ohio EPA requests that all leachate extraction wells and tanks be properly sealed to stop the escape of any odors. Proper seals should stop odors from escaping.

Attachment A, SWPP and Hydrogen Sulfide Weekly Inspection Form

15. On the Quarterly and Daily H2S Inspection forms, please add entry lines for the following: barometric pressure, temperature, wind speed, wind direction.
16. At the end of the Quarterly and Daily H2S Inspection forms, please add a note indicating that any of the following observations should be noted in the "Location/Comments" section: areas of erosion, distressed vegetation, subsidence, cracking or discoloration of the cap, and leachate or surface water accumulation.
17. Please include in the plan the MSDS (material safety data sheets) for OrganiSol™ and Microbe-Lift™.

Please amend the plan accordingly and resubmit the document for review not later than thirty days after receipt of this notice of deficiency. 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

cc: Kelly Jeter, DSIWM, CO
Robin Nichols, DSIWM-Legal
Sari Mandel, AGO
Darrick Willis, Summit County Health Department
Mike Meusel, Barberton Health Department
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