



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

December 2, 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 August 17, 2009, Ohio Environmental Protection Agency (Ohio EPA) received a document dated August 14, 2009 and titled, "*Response to Ohio EPA Letter of Notice of Violation dated July 16, 2009 Regarding the Revised Hydrogen Sulfide Monitoring Plan for Summit C&D Disposal, Inc. Landfill, Summit County, Ohio.*" The document includes a revised hydrogen sulfide monitoring plan. This letter provides a notice of violations identified during the review of the document.

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.”

Please revise the hydrogen sulfide (H<sub>2</sub>S) 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.

Summit C&D Disposal (Summit) must immediately cease adding any liquids and/or additives (including OrganiSol and Microb-Lift) to the leachate extraction wells and/or ground water monitoring wells. The facility must first receive the appropriate permit from Ohio EPA Underground Injection Control (UIC) before any further well injection can take place. The facility may contact Lindsay Taliaferro, Manager, DDAGW, CO, for further information regarding additional permit information.

In addition, 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.

### **Section 2.1 Monitoring Locations, Methods, and Frequency**

2. Page 1, first paragraph (“During normal operations. . .”):
  - Summit needs to have an H<sub>2</sub>S odor inspection form that will be completed each day. The form should not be titled “weekly inspection form.”
  - Ohio EPA requests that Summit simply retitle the “H<sub>2</sub>S Quarterly Field Data Log” to “H<sub>2</sub>S Field Data Log.” Thus, the same form could be used for daily “sniff inspections” as well as the quarterly inspections with the H<sub>2</sub>S meter.

- The form should **not** be a combination form that includes the weekly storm water pollution prevention plan (SWP3) inspection results.
3. Page 1, second paragraph, regarding “Conduct a weekly inspection along the facility boundaries. . .”
- Change the above to “Conduct a **daily** inspection along the facility boundaries. . .”
  - Please indicate that 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.
4. Page 2 has a bolded section that refers to “when the odor is rated a 3 or 4.”
- Please add to this section, that when odor is rated at 3 or 4, a copy of the completed daily H2S inspection form and a written summary of remediation shall be sent to the above three agencies within 7 days of the high odor event.
  - This section indicates that an H2S survey with an H2S meter will be conducted within 48 hours upon the detection of an H2S odor rated 3 or 4. Please revise this to state that an H2S survey with an H2S meter will be conducted within 24 hours upon the detection of an H2S odor rated 3 or 4.
5. Page 3, indicates that upon notification from a government agency that H2S is above the action level of 0.030 parts per million (ppm), then Summit will immediately investigate and remediate. Ohio EPA reminds Summit that the intent of an H2S plan is to be self-monitoring. In other words, Summit is supposed to monitor and remediate H2S odors without a government agency having to also monitor the site.
- Please revise page 3 to address the above.
  - Please revise page 3 to indicate “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.” Please include Norton Fire Department.

## **Section 2.2 Sampling and Analysis Procedure and Equipment**

6. Page 3, states, “During normal operation hours, no specific inspection procedure required.”
- Please revise this statement. Even the daily sniff inspection follows a procedure of walking the perimeter, completing the form, etc.

- This section refers to weekly H2S inspections. Please revise this section to indicate daily H2S inspections.
- Bottom of page 3 refers to the H2S meter as capable of detecting H2S gas at a minimum of 5 parts per billion (ppb). Ohio EPA requests that this section be revised to state that the H2S meter be capable of detecting H2S gas at a minimum of 1 ppb.

### **Section 2.3 Investigation upon Receipt of a Complaint**

7. Bottom of page 4, indicates that upon notification from a government agency that H2S is above the action level of 0.030 parts per million (ppm), then Summit will immediately investigate and remediate. Ohio EPA reminds Summit that the intent of an H2S plan is to be self-monitoring. In other words, Summit is supposed to be monitoring and remediate H2S odors without a government agency having to also monitor the site.
  - Please revise this section to state, "When the action level is exceeded, Summit C&D Disposal will . . ."
  - Top of page 5 refers to the H2S meter as capable of detecting H2S gas at a minimum of 5 ppb. Ohio EPA requests that this section be revised to state that the H2S meter be capable of detecting H2S gas at a minimum of 1 ppb.

### **Section 3.0 Hydrogen Sulfide Mitigation Procedures**

8. Page 6, 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.

As stated above in Item no. 1., Summit must immediately cease adding any liquids and/or additives (including OrganiSol and Microb-Lift) to the leachate extraction wells and/or ground water monitoring wells. The facility must first receive the appropriate permit from Ohio EPA Underground Injection Control (UIC) before any further well injection can take place. The facility may contact Lindsay Taliaferro, Manager, DDAGW, CO, for further information regarding additional permit information.

- 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.

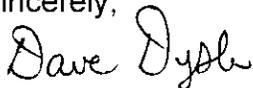
Mr. Richard Eslich, Sr.  
Eslich Wrecking Company  
December 2, 2009  
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**Attachment A, SWPP and Hydrogen Sulfide Weekly Inspection Form**

9. As stated above at Item no. 2., please retitle the "H2S Quarterly Field Data Log" to "H2S Field Data Log." Thus, the same form could be used for daily "sniff inspections" as well as the quarterly inspections with the H2S meter.
10. On the Quarterly and Daily H2S Inspection forms, please add an entry line for barometric pressure.
11. H2S Monitoring Locations map. There are three monitoring points that are labeled "24." Please revise the monitor points to read 24, 25 and 26.

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 me 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  
Lindsay Taliaferro, DDAGW, CO  
Sari Mandel, AGO  
Darrick Willis, Summit County Health Department  
Michael Cyphert, Walter & Haverfield LLP  
Patrick Loper, Bowser-Morner  
File: [Sowers/CONS/Summit C&D Disposal/COR/77]

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PS Form 3800, August 2006

See Reverse for Instructions

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1. Article Addressed to:

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

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