



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 31, 2011

**RE: RITTMAN PAPERBOARD
NOTICE OF VIOLATION
GROUND WATER
WAYNE COUNTY**

CERTIFIED MAIL

Mr. Gary McQuate
RPB Manager
Rittman Paperboard Landfill
100 Industrial Ave.
Rittman, Ohio 44270-1573

Dear Mr. McQuate:

On June 12, 2007, and July 16, 2007, Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO), received two documents entitled, "Deep Aquifer Ground Water Quality Assessment" and "Shallow Aquifer Ground Water Quality Assessment," for Rittman Paperboard Residual Waste Landfill located in Wayne County, and were dated June 7, 2007, and July 11, 2007, respectively. These documents were submitted by Bowser-Morner on behalf of Caraustar Mill Group, Inc. for compliance with OAC Rule 3745-30-08(E)(2), which requires the submittal of a Ground Water Quality Assessment Report.

Rittman Paperboard operates a Class III Residual Waste Landfill currently owned and operated by Caraustar Mill Group, Inc. The PTI #02-5056 was approved on June 4, 1997. The landfill received waste from the pulp and paper making operations conducted at the facility. Rittman Paperboard closed and ceased production of paper materials in 2006. The Residual Waste Landfill currently only receives paperboard waste sludge removed from the north lagoons and dried prior to placement within the permitted limits of waste placement.

Upon review of the subject documents, Ohio EPA has determined that Rittman Paperboard has submitted an alternate source demonstration in accordance with OAC Rule 3745-30-08(E)(5), not a Ground Water Quality Assessment Report as required by OAC Rule 3745-30-08(E)(2). The following violations have been identified:

1. **OAC Rule 3745-30-08(E)(2)**: *"The owner or operator shall implement the ground water quality assessment plan which satisfies the requirements of paragraph (E)(1) of this rule, to determine: the concentrations and the rate and extent of migration of the waste-derived constituents in the ground water. The owner or operator shall make this determination within the timeframe specified in the submitted ground water quality assessment plan. The owner or operator shall submit to the Ohio EPA, not later than 15 days after making this determination, a written report containing an assessment of*

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the ground water quality including all data generated as part of the implementation of the ground water quality assessment plan.”

- A. Rittman Paperboard has submitted separate Ground Water Monitoring Assessment Reports (GWQAR) for the shallow and the deep hydrostratigraphic units. The ground water assessment monitoring system should not be segregated into shallow and deep GWQAR.

Rittman Paperboard should revise the GWQARs such that the two plans are combined into one stand-alone GWQAR.

- B. Rather than implement a Ground Water Quality Assessment Plan in accordance with OAC Rule 3745-30-08(E)(1) that is capable of determining the rate, concentration, and extent of ground water contamination migration, Rittman Paperboard attempted to demonstrate that the consecutive statistically significant differences were not due to a release of waste derived constituents from the facility as provided by OAC Rule 3745-30-08(E)(5) and described by OAC Rule 3745-30-08(D)(9). The alternate source demonstration consisted of:

1. Sample ground water monitoring wells
2. Sample surface waters
3. Evaluate water levels in shallow and deep hydrostratigraphic units
4. Evaluate Arsenic in shallow soils
5. Evaluate brine data from 1932
6. Graph water levels
7. Graphical comparison of water chemistries
8. Investigate potential for seeps to the River Styx
9. Locate abandoned brine well
10. Investigate potential of failure of seal at MW-1

Ohio EPA has determined that Rittman Paperboard has not adequately demonstrated that the two consecutive statistically significant differences identified at downgradient groundwater monitoring wells MW-2, MW-3, MW-4, MW-11R, and MW-12R are naturally occurring and not due to the release of waste derived constituents. Ohio EPA does not concur with Rittman Paperboard's alternate source demonstration, and therefore cannot approve the request for a return to detection monitoring.

Rittman Paperboard has not adequately determined the rate, concentration, and extent of ground water contamination as required by OAC Rule 3745-30-08(E)(1), and must submit a Ground Water Quality Assessment Report in accordance with OAC Rule 3745-30-08(E)(2).

In addition, Rittman Paperboard should revise the Ground Water Quality Assessment Plan (in accordance with the May 24, 2011 Ohio EPA correspondence), such that the implementation

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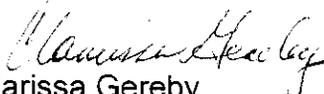
of the Ground Water Quality Assessment Plan will determine the rate, concentration, and extent of ground water contamination migration. In accordance with OAC Rule 3745-30-08(E)(2), Rittman Paperboard should submit a report summarizing the results and supporting documentation generated during the implementation of the Ground Water Quality Assessment Plan.

Please note, that while revising the GWQAP to adequately delineate the rate, concentration, and extent of ground water contamination migration, Rittman Paperboard should revise the statistical analysis plan such that the plan establishes and compensates for natural and spatial variability within the hydrostratigraphic units. In addition, the statistical analysis plan should establish, characterize, and compensate for upgradient sources of adverse ground water impacts.

Please revise the GWQAP as necessary and address the above comments within 60 days of the receipt of this correspondence. If you have any technical questions regarding this review, please contact Jeff Rizzo, Division of Drinking and Ground Waters, Northeast District Office, Ohio EPA at (330) 963-1115. Please submit all correspondence to Clarissa Gereby, Division of Materials and Waste Management, Northeast District Office, Ohio EPA, 2110 East Aurora Road, Twinsburg, Ohio 44087.

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 Chapter 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act or the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,


Clarissa Gereby
Environmental Specialist
Division of Materials and Waste Management

CG/cl

cc: Ken Eng, Wayne County Health Department
Jeff Rizzo, DDAGW, NEDO
Julie Hewlett, Bowser-Morner, Inc.
File:[Kurko/LAND/RITTMAN PAPERBOARD/GRO/85]
Project ID # 623, 526

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1. Article Addressed to:

Mr. Gary McQuate
 RPB Manager
 Rittman Paperboard Landfill
 100 Industrial Ave.
 Rittman, Ohio 44270-1573

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 Ronald H. Cool Agent Addressee

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