



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

April 8, 2010

**RE: GOODYEAR - SEIBERLING STREET LANDFILL
NORTH AREA
NOTICE OF VIOLATION**

CERTIFIED MAIL

Debra Harrell
Senior Vice President
Industrial Realty Group
Akron Riverwalk
1144 East Market Street
Dept. 115B
Akron, Ohio 44316

Dear Ms. Harrell:

Ohio Environmental Protection Agency (Ohio EPA) reviewed the first quarter landfill inspection report for the north section of Goodyear-Seiberling Street Landfill which is now owned by Industrial Realty Group (IRG). This letter provides the review results and some general information regarding your landfill post-closure care obligations.

The landfill was used exclusively by the Goodyear Corporation and is considered a captive facility. Goodyear began landfill operations in the 1920s. Waste acceptance at the facility ceased in May 1989 and substantial closure of Goodyear Landfill was completed in November 1989. Thus, the thirty-year post-closure care period will be completed November 2019.

Post-closure care obligations with which you are currently required to comply include quarterly facility inspections and maintenance of the cap system. These requirements are described in Ohio Administrative Code (OAC) 3745-27-14. A copy of this rule is attached for your convenience. Also attached is a copy of Ohio EPA, Division of Solid and Infectious Waste Management (DSWIM) Guidance #0179, Acceptable Vegetation and Cap System Maintenance. This guidance addresses the need to prevent trees and shrubs from growing on the landfill cap.

Violation

The inspection was conducted on March 8, 2010 and Ohio EPA received the inspection report on April 1, 2010. OAC 3745-27-14(A)(4) requires the report to be submitted to Ohio EPA within 15 days of the inspection. Thus, the report was late by approximately one week. This rule states in part,

“Post-closure care activities for a sanitary landfill facility shall include, but are not limited to the following: . . . Quarterly inspection of a sanitary landfill facility during each year of the

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post-closure care period and submittal of a written summary to the appropriate Ohio EPA district office not later than fifteen days after the inspection date detailing the results of the inspection and a schedule of any actions to be taken to maintain compliance with paragraphs (A)(1) and (A)(2) of this rule.”

- * IRG is in violation of OAC 3745-27-14(A)(4) because Ohio EPA did not receive the quarterly inspection report in a timely manner.
- * In addition, the report did not include a schedule for compliance. Specifically, the report needs to specify when the repairs will occur. (The repairs include filling in ground hog holes, removing surface waste and repairing the cap, seeding, filling in ponding areas, etc.)

To achieve compliance, please submit the quarterly inspection reports on time. Also, please include in the inspection report a schedule for the repair of items identified during the landfill inspection.

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 Industrial Realty Group 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.

Sincerely,



Dave Dysle
Environmental Specialist
Division of Solid and Infectious Waste Management

DD:cl

Attachments: OAC 3745-27-14
Ohio EPA DSIWM Guidance Document #0179

cc: Karen Naples, DSIWM, NEDO
Julie Brown, Akron Health Department
Kurt Princic, DSIWM, NEDO
Melinda Berry, DSIWM, CO
Marty Cooper, DSIWM-Legal, CO
Carol Smith, Ohio Realty Advisors
File: [Sowers/LAND/Goodyear-Seiberling St./COR/77] DSIWM #3222