



**Environmental
Protection Agency**

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

July 6, 2011

**RE: SUMMIT COUNTY WWTP #36
TEMPORARY SLUDGE
HOLDING BASIN
CHARACTERIZATION PLAN
NOTICE OF VIOLATION**

CERTIFIED MAIL

Mr. Robert Hollis
Deputy Director of Operations
Summit County, Dept. of Environmental Services
1100 Loamshire
Akron, Ohio 44319

Dear Mr. Hollis:

This letter provides a notice of violation, deficiencies and comments identified during the review of the waste characterization plan for WWTP 36. On May 11, 2011, Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM) received a waste characterization plan regarding the temporary sludge holding basin (holding basin) at the Summit County, Upper Tuscarawas Wastewater Treatment Plant #36 (WWTP 36), located at 1100 Loamshire Drive, Springfield, in Summit County. The characterization plan responds to Order No. 3 of the Director's Final Findings and Orders issued on February 24, 2011 (February 2011 Orders).

The holding basin is 1.4 acres and is approximately 15 feet deep at the center. The basin contains sludge materials. The basin also contains grease, grit, and solids from the wet wells in Summit County's sanitary sewage collection system which are considered solid waste.

The document, titled "Work Plan to Characterize Contents of the Temporary Sludge Storage Site, for the Summit County Waste Water Treatment Plant No. 36", was prepared by Hull & Associates, Inc., on behalf of Summit County Department of Environmental Services, dated April 2011. Below are: one violation, deficiencies and comments regarding the characterization plan.

Violation

The waste characterization plan was late. Order 3 of the February 2011 Orders states,

"Within forty-five (45) days after the effective date of these Orders, Respondent shall submit a compliance plan to Ohio EPA, NEDO for approval, which shall include a compliance schedule consistent with these Orders for the characterization of the

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waste, the removal and proper disposal of the entire contents of the Temporary Sludge Storage Area at a licensed sanitary landfill, the removal of the liner system, and to restore, stabilize and grade the site."

The waste characterization plan was due on April 10, 2011 (45 days after February 24, 2011, the effective date of the orders). However, Ohio EPA received the plan on May 11, 2011.

As a reminder, the completed characterization and submittal of the sampling and analysis report is due within 180 days of the effective date of the February 2011 Orders, August 23, 2011, pursuant to Order No. 4.

Deficiencies

1. Stratified random sampling as per section 2.2.1 on page 3, is the sampling method proposed. This is an acceptable method. Three layers are described, Layer 1, 10-15 feet below ground surface; Layer 2, 5-10 feet below ground surface; and Layer 3, 0-5 feet below surface. The Work Plan recommends collecting two samples from Layer 1, three samples from Layer 2 and four samples from Layer 3. It appears that there is not a significant amount of information regarding the vertical extent of the different layers. Visual observation should also be used when selecting the interval for sampling, to distinguish between different materials.

Please revise the plan to include four samples collected and submitted for analysis for each interval (Layer 1, 2, and 3).

2. In section 3.2, the Work Plan proposes running the following analysis:

SW 846 1311/6010 – 8 RCRA Metals
SW 846 1311/7470 - Mercury
SW846 1311/8260B - Volatiles
SW846 1311/8270 – Semi-volatiles
SW846 8151 - Herbicides
SW846 9045 – pH
SW-846 1020 - Ignitability
SW-846 7342 – Reactive Sulfide
SW846 4500-C/335.3 – Cyanide

The most current method for the above methods are listed below:

SW 846 1311/6010 C RCRA Metals
SW 846 1311/8260 C Volatiles

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SW 846 1311/8270 D Semi Volatiles
SW 846 8151 A Herbicides
Method SW 846 8081 A Organochlorine Pesticides, may also be necessary to obtain the full TCLP hazardous waste list.

Please revise the plan to include the most current methods listed above.

3. Boring logs should be kept for each sample.

Please revise the plan to indicate that boring logs will be recorded for each sample.

4. Sample results should be evaluated, both within layers and between layers, to determine if the material was sampled adequately. If there is a significant amount of variability, if sample results are close to TCLP regulatory limits, or if sample results are both above and below hazardous levels, then additional sampling may be necessary.

Please revise the plan to include the above information.

5. The Ohio EPA Division of Materials and Waste Management Northeast District Office shall be notified a minimum of five (5) business days in advance prior to sampling.

Please revise the plan to include the above advance notification statement.

Comments

1. As per section 2.2.2 on page 4, sample collection is proposed by using either a backhoe, drill rig, or a hand-held drive sampler. Depending on the size of the backhoe, 15 feet below surface could be towards the outer extent of the backhoe reach. Depending on the material, it will be extremely difficult to sample down to 10 to 15 feet below surface using a hand-held, man-powered sampling device. It is recommended, that the sample collection method be identified in advance. Whatever method is used, all precaution necessary shall be taken to avoid damaging the bottom liner.
2. It is recommended that disposal facilities be contacted in advance, to determine if additional sample analysis is necessary (i.e. paint filter test, etc.).

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 Summit County, Department of Environmental Services and others from

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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.

Please provide a written response to the above deficiencies as soon as possible. Should you have any questions, please call me at (330) 963-1286.

Sincerely,



Dave Dysle
Environmental Specialist
Division of Materials and Waste Management

DD/cl

cc: Melinda Berry, DMWM, CO
Janine Maney, DMWM Legal, CO
Cathy Alexander, DSW, CO
Michael Bolas, DERR, NEDO
Jennifer Bennage, DSW, NEDO
Bill Lutz, DMWM, NEDO
Darrick Willis, Summit County Health Dept.
File: [Sowers/COUN/Summit County WWTP #36/COR/77]