



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

July 13, 2009

RE: **BFI-GLENWILLOW LF
CUYAHOGA COUNTY
GROUND WATER
NOTICE OF VIOLATION**

CERTIFIED MAIL

Mr. Allen Bradburn
Republic Services, Inc.
5092 Aber Road
Williamsburg, Ohio 45176

Dear Mr. Bradburn:

This letter is a revision of the Notice of Violation (NOV) which was sent to you and was dated June 17, 2009. The Ohio Environmental Protection Agency (Ohio EPA) had reviewed the May 2009 Revised Groundwater Quality Assessment Monitoring Program for the Glenwillow Closed Municipal Solid Waste Landfill, Cuyahoga County. The submitted document was dated May 20, 2009, and was received on May 21, 2009. An NOV was sent on June 17, 2009, regarding the review of the document and later it was determined that two errors were included in the NOV. The two errors are corrected below as follows (in bold type):

During the review of the May 2009 Revised Groundwater Quality Assessment Monitoring Program, the following violations have been identified:

1. The owner/operator is in violation of OAC 3745-27-10(E)(1), OAC 3745-27-10 (E)(4) and OAC 3745-27-10 (E)(6) for failure to implement a groundwater quality assessment plan capable of determining the concentration, rate and extent of waste-derived constituents in groundwater and for failure to propose an adequate number, location and depth of assessment monitoring wells.

The owner/operator states in section 5.4 that "additional assessment activities will be required if the planned assessment activities do not adequately delineate the rate of movement, areal extent, vertical extent, and concentration of waste derived constituents."

The planned assessment activities do not adequately delineate the concentration, rate and extent of waste-derived constituents in groundwater. Required additional assessment activities include the following:

- A. Installation of additional piezometers on the **south** side of Tinkers Creek **opposite GW-114S, GW-115S and MW-100**, to determine whether or not groundwater from the UAS and SZS discharges to the creek or flows under and past the creek.

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- B. Installation of additional monitoring wells in the UAS between GW-103S and GW-105SA.
- C. Installation of additional monitoring wells in the SZS between GW-105SA and GW-110S.
- D. **[Remove the following bullet: *Installation of additional monitoring wells in the SZS between GW-116S and MW-2SN.*] At this time additional information is needed to determine whether installation of additional monitoring wells in the SZS between GW-116S and MW-2SN will be required.**

Response to March 4 and 5, 2009 NOV/comments:

1. The owner/operator was in violation of OAC Rules 3745-27-10(C)(1) and 3745-27-10(C)(2)(c)(iii) for failing to adequately describe and document a sample withdrawal method that will ensure the collection of representative ground water samples. Specifically, the owner/operator failed to provide sufficient detailed instructions for the proper collection of VOC samples.

The owner/operator provided sufficient detailed instructions to assure proper collection of VOC samples on page 11 of the subject document and, therefore, is no longer in violation of the above rules.

2. The owner/operator appropriately changed the name of the water bearing zone previously identified as the "perched zone" to "significant zone of saturation."
3. The owner/operator included information regarding the four new monitoring wells GW-113S, GW-114S, GW-115S and GW-116S in Table 1 and appropriately placed the latter three wells under assessment.
4. Table 1 was appropriately modified to identify the hydraulic position of GW-109SB as downgradient/sidegradient rather than as upgradient.

As per Table 5 – Anticipated Schedule of Implementation, the owner/operator will submit an updated assessment rate and extent report to Ohio EPA by the end of June 2009.

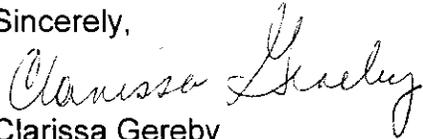
Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

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We apologize for any confusion this may have caused. Please submit all correspondence to Clarissa Gereby, Ohio EPA, 2110 East Aurora Road, Twinsburg, Ohio 44087.

If you have any technical questions regarding this review, please contact Kathryn Epp at (330) 963-1233.

Sincerely,



Clarissa Gereby
Environmental Specialist
Division of Solid and Infectious Waste Management

CG:cl

cc: Dane Tussel, CCBH
Kathryn Epp, DDAGW, NEDO
Joe Montello, BFI, Corporate Hydrogeologist
James Krebs, ERM, Inc.
File: [Kurko/Land/Glenwillow Works LF/GRO/018]
Project ID# 944

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