



**Environmental
Protection Agency**

John Kasich, Governor
Lee Fisher, Lt. Governor
Chris Kohnicki, Director

May 5, 2010

**RE: BFI-GLENWILLOW LF
CUYAHOGA COUNTY
GROUND WATER**

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

Dear Mr. Bradburn:

On December 31, 2009, Ohio EPA received the Revisions to the May 2009 Groundwater Quality Assessment Monitoring Plan, Response to July 13, 2009 Ohio EPA Comments. The document is dated December 31, 2009. Environmental Resources Management, Inc. (ERM) prepared the document on behalf of Browning-Ferris Industries of Ohio, Inc. (BFIO). The subject document was reviewed for compliance with Ohio Administrative Code (OAC) Rule 3745-27-10.

The Glenwillow Closed Municipal Solid Waste Landfill is conducting both assessment and detection ground water monitoring, and the ground water monitoring program is regulated by the Solid and Infectious Waste Regulations (OAC 3745-27-10), effective August 15, 2003.

The following is the evaluation of the Owner/Operator's response to the cited violations regarding the Groundwater Quality Assessment Program:

- 1. The owner/operator was cited for violation of rules OAC 3745-27-10(E)(1), (E)(4) and (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.**

In response to this citation, the owner/operator revised the Groundwater Quality Assessment Program to include the following:

- A. Work will be conducted to determine whether groundwater from the uppermost aquifer system (UAS) and significant zone of saturation (SZS) discharges to the creek or flows under and past the creek and will include:
 - a. Establishing a Tinkers Creek survey reference point.
 - b. Develop, survey and measure water levels in existing cluster of piezometers on west side of Tinkers Creek opposite well GW-103S.

Mr. Allen Bradburn
Republic Services, Inc.
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- c. Utilize any appropriately located and screened existing gas monitoring probes to obtain water levels of shallow zones on the opposite side of Tinkers Creek.
- B. Installation of an additional monitoring well (GW-117S) in the UAS between GW-103S and GW-105SA in order to determine vertical extent of landfill constituents detected at SZS wells GW-114S and GW-115S.
- C. Installation of additional monitoring well (GW-118S) in the SZS between GW-105SA and GW-110S in order to determine lateral extent of migration in the SZS southeast of GW-114S.

With these changes in the Groundwater Quality Assessment Monitoring Plan the owner/operator has returned to compliance regarding this issue.

If you have any technical questions regarding this review, please contact Kathryn Epp at (330) 963-1233. Please submit all correspondence to Clarissa Gereby, Division of Solid and Infectious 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 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,


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

Department: *DMWM*

Subdepartment: *SOLID_WASTE*

Office Location: *NEDO*

Media: *LAND*

Doc Type: *NOV*

Doc Subtype: *NULL*

Program: *MUNICIPAL_SOLID_WASTE*

County: *47*

Facility ID: *NULL*

Facility Name: *BFI_LORAIN_CO_II_LF*
 (Dropdown) Input is 19 characters long.
(Override) Input is 0 characters long.

Date: *20100707*

Record ID: *NULL*



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Kressitt, Director

July 7, 2010

**RE: LORAIN COUNTY II LANDFILL
LORAIN COUNTY
NOTICE OF VIOLATION**

Mr. Chris Jaquet
Environmental Manager
Lorain County Landfill, LLC
43502 Oberlin-Elyria Rd.
Oberlin, OH 44074

Dear Mr. Jaquet:

This letter is to notify you of violations that have occurred/are occurring at Lorain County II Landfill, owned and operated by Lorain County Landfill, LLC, a subsidiary of Republic Services, Inc. Specifically, the violations relate to nuisance odors, maintenance of the landfill's gas collection and control system (GCCS), and a fire that occurred at the landfill surface on April 14, 2010. The violations are described in greater detail below.

1. **Nuisance.** As you are aware, Ohio EPA has continued to receive numerous citizen complaints about landfill gas odors in the vicinity of Lorain County II Landfill. Ohio EPA sent an odor questionnaire to residents surrounding the landfill on April 9, 2010, to determine whether conditions had improved since December 8, 2008, the date the previous questionnaire was mailed. We have also performed additional site visits and odor surveillance to determine whether landfill odors continue to migrate offsite, since the date of your most recent citation for nuisance odors, November 27, 2009.

Based upon our own observations, the odor questionnaires, and the odor complaints we have received, we have determined that landfill odor nuisance conditions continue to exist. On March 16, 2010, I conducted odor surveillance at approximately 8:30 pm on the roads surrounding the facility and observed strong landfill odors on Oberlin-Elyria Road. The odor was a mixture of both landfill gas and garbage, at an odor intensity of "3" out of "4". (A "3" is "an odor strong enough to cause a person to avoid it completely.") As I explained to you the following day, the odors extended from the landfill entrance to approximately one half mile east on Oberlin-Elyria Road. Of the 68 questionnaires that were sent in 2008, 16 respondents indicated that they had noticed offensive odors within the vicinity of their home, and attributed those odors to Lorain County II Landfill. Of the 65 questionnaires sent in 2010, 15 respondents indicated that they still observe odors in the vicinity of their home that they attribute to the landfill. Ohio EPA received 87 odor complaints in 2009, and 46 complaints to date in 2010.

Lorain County Landfill, LLC is in violation of the following paragraphs of the Ohio Administrative Code (OAC) because it has failed to control the release of landfill emissions, resulting in odors offensive to the senses and interfering with the surrounding community's comfortable enjoyment of life and property:

OAC 3745-27-19(B)(3): *"The owner or operator shall operate the facility in such a manner that noise, dust, and odors are strictly controlled so as not to cause a nuisance or a health hazard."*

OAC 3745-27-19(B)(5): *“The owner or operator shall operate the facility in such a manner that operation does not create a nuisance or a health hazard, does not cause water pollution pursuant to Chapter 6111. of the Revised Code, and does not violate any regulation adopted by the director pursuant to Chapter 3704. of the Revised Code.”*

OAC 3745-15-07(A): *“Except as provided in paragraph (B) of this rule, the emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance. It shall be unlawful for any person to cause, permit or maintain any such public nuisance.”*

In addition, the owner/operator is in violation of the following term from air pollution modification permit-to-install (PTI) #P0106053, issued April 6, 2010.

PTI 02-22821 Standard Terms and Conditions, A.8: *“The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.”*

In order to return to compliance with the aforementioned requirements, Lorain County Landfill, LLC must immediately employ any and all measures necessary to eliminate the conditions leading to the escape of landfill gas and garbage odors.

- GCCS Maintenance.** In response to Ohio EPA’s November 27, 2009 notice of violation to the facility regarding nuisance odors, Lorain County Landfill, LLC evaluated all 144 gas extraction wells for efficiency. Based upon the results of the evaluation, Lorain determined that 26 gas extraction wells needed to be replaced by redrilling, and 14 wells needed to be refitted with pumps to remove condensate. Thus, 40 of the landfill’s 144 gas extraction wells (27%) were found to require a significant amount of work to properly function, 26 of which had failed badly enough to require replacement. Lorain has indicated that the repair work, which is currently underway, will remedy the odor nuisance. Failure to maintain the GCCS’s components such that its function is unimpaired is a violation of the following:

OAC 3745-27-19(E)(1)(c): *“The owner or operator shall maintain the integrity of the engineered components of the sanitary landfill facility and repair any damage to or failure of the components...”*

To regain compliance with the above rule, Lorain County Landfill, LLC shall replace/repair the failing gas extraction wells that were identified in the efficiency evaluation, as scheduled. To maintain the integrity of the GCCS in the future, Lorain should inspect and conduct any necessary repairs on a more frequent basis to ensure that the GCCS is capable of operating unimpaired.

- Surface Fire.** On April 23, 2010, Ohio EPA received a document entitled *“Written Documentation April 14, 2010 Surface Fire Incident Lorain County II Landfill,”* which was prepared by Weaver Boos Consultants, LLC and was dated April 16, 2010. The document was prepared to serve as documentation of the landfill fire that occurred in the morning hours of April 14, 2010. It was also submitted to serve as documentation that the fire was completely extinguished.

MR. CHRIS JAQUET
LORAIN COUNTY II LANDFILL
JULY 7, 2010
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In the section "Possible causes," the report states, that "Most likely it was caused by a hot load from residential waste." It further stated that a review of the waste manifests concluded "...that a reaction of a waste stream with water or other incompatible waste was not likely."

Upon review, Ohio EPA has determined that the owner/operator is in violation of the following:

Ohio Administrative Code (OAC) 3745-27-19(E)(7)(d): *"The owner or operator shall not deposit waste that is burning or is at a temperature likely to cause fire at the working face."*

PTI # 02—15346, issued April 4, 2003, Operational Information: *"Waste that is at an elevated temperature or that is burning will be placed away from the working face..."*

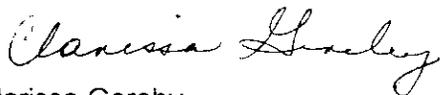
To prevent surface fires, Lorain County Landfill, LLC shall take measures to ensure waste that is burning or is at a temperature likely to cause fire is not deposited at the working face.

Within 14 days of receipt of this letter, please submit a written plan of the action steps, both current and anticipated, to mitigate landfill odor emissions, to repair the GCCS, and to address the violation resulting from the landfill fire.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations except as specified herein. This letter shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, 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.

If you have any questions regarding this correspondence, please contact me at (330) 963-1224.

Sincerely,



Clarissa Gereby
Environmental Specialist
Division of Solid & Infectious Waste Management

CG:ddw

cc: Steve White, Steven H. White & Associates, Inc.
John Mason, EDI
John Sabo, Lorain County Health Department
New Russia Township Trustees
Tim Fischer, Environmental Supervisor, Ohio EPA, NEDO-DAPC
Carl Musseden, Environmental Specialist, Ohio EPA, CO-DSIWM
Jerry Parker, Environmental Engineer, Ohio EPA, NEDO-DSIWM
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