



State of Ohio Environmental Protection Agency

Northeast District Office

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

May 14, 2008

RE: **BFI CLD/LEWIS LANDFILL
GROUND WATER
NOTICE OF VIOLATION**

CERTIFIED MAIL

Butch Bradburn
Site Engineer
BFIO Carbon Limestone Landfill
8100 South Stateline Road
Lowellville, OH 44436

Dear Mr. Bradburn:

The Ohio Environmental Protection Agency (Ohio EPA) conducted an inspection of the ground water monitoring system at the BFIO CLD Lewis Landfill on May 1, 2008. BFIO CLD Lewis Landfill is a closed municipal solid waste landfill, upon which a construction and demolition debris landfill is being operated. The site is currently in post-closure care, and ground water monitoring activities are conducted in accordance with the solid and infectious waste regulations OAC Rule 3745-27-10, effective August 15, 2003.

Ohio EPA identified the following violations.

- 1. The owner/operator is in violation of OAC Rule 3745-9-03 for failing to properly repair or abandon monitoring wells that are no longer used as part of routine ground water monitoring activities.**

Upon inspection of the ground water monitoring system, Ohio EPA identified three unknown and unmarked wells at the facility, in various states of disrepair. All three of the wells were found directly adjacent to a well or piezometer that is part of the ground water monitoring system.

The first unidentified well was located adjacent to well P-7B. The well was locked, but visible wasp nests were present inside the steel protective casing (Attachment 1). More importantly, the surface seal was cracked and degraded (Attachment 1). According to a December 5, 1995, letter report containing potentiometric ground water flow maps, this well may be the C-Horizon well P-7A.

The second unidentified well was located adjacent to well P-3B. The well was not locked and didn't appear to have been constructed with a surface seal. According to the December 5, 1995, letter report containing potentiometric ground water flow maps this well may be either the C-Horizon well P-3A, or the nested A- and C-Horizon well P-3C.



The third unidentified well was located adjacent to well MW-8D. The well was locked, but more importantly, the surface seal was cracked and degraded. According to the December 5, 1995 letter, report containing potentiometric ground water flow maps, this well may be the B-Horizon well MW-10D.

To return to compliance with this rule, the owner/operator should immediately repair the surface seals of these three wells and properly mark them for identification purposes. Or, the owner/operator should immediately abandon them. The owner/operator should document all activities and submit this documentation to Ohio EPA for review.

- 2. The owner/operator is in violation of OAC Rule 3745-27-10(B)(3) for failing to properly maintain monitoring wells, piezometers, and annular seals to prevent the contamination of ground water.**

Upon inspection of piezometer P-3B, Ohio EPA noted that no visible identification was present on the outside of the steel protective casing. Furthermore, the surface seal for P-3B was completely degraded and cracked. Some pieces of the surface seal had completely broken away from the steel protective casing. While P-3B is only used as a piezometer for measuring static ground water levels in the A-Horizon, the severely degraded surface seal could lead to erroneous measurements or contamination of the ground water through direct surface water infiltration or migration along the well casing.

To return to compliance with this rule, the owner/operator should immediately repair the surface seal of P-3B and properly mark the steel protective casing for identification purposes. The owner/operator should document all activities and submit this documentation to Ohio EPA for review.

- 3. Because the owner/operator has not complied with the rules above, the owner/operator is also in violation of OAC Rule 3745-27-19(B)(6) which requires compliance with the ground water monitoring, assessment, and corrective measures requirements of OAC Rule 3745-27-10.**

Ohio EPA has the following comments.

4. During the inspection, an unknown well labeled #70 was discovered approximately 100-200 feet northwest of MW-8D near the flare. However, this well isn't shown or listed in any of the current assessment or detection monitoring plans, so it is unclear whether this well is a gas well/probe or a monitoring well. Ohio EPA requests the owner/operator explain the purpose of this well or probe, and if necessary, revise the detection or assessment monitoring plan(s) accordingly.

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5. The surface seal of MW-122C is starting to show significant signs of weathering. While no cracks were visible in the seal, the seal seems to be disaggregating at a fairly accelerated rate (Attachment 1). It may be that the batch of concrete used to pour the surface seal contained too much sand and gravel and consequently didn't set up very well. Ohio EPA requests the owner/operator inspect this surface seal, and if necessary, make any repairs before the surface seal degrades any further.
6. During the inspection, Ohio EPA collected the GPS location for the outfall entering Pond 3. The latitude and longitude of the location is as follows:

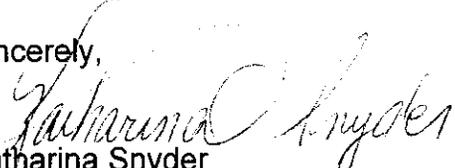
40 degrees 56 minutes 53.2 seconds north latitude;
80 degrees 50 minutes 10.9 seconds west longitude

The GPS unit was registering 7 satellites and 4-5 bars of signal strength during this measurement.

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.

If you have any questions concerning this letter, please contact me at (330) 963-1257.

Sincerely,


Katharina Snyder
Division of Solid and Infectious Waste Management

KS:cl

cc: Connie McCambridge, DDAGW-NEDO
Dave Silbaugh, Silbaugh Hydrogeological Services
Butch Bradburn
Mary Helen Smith, Mahoning County Health Department
File: [Sowers/LAND/CLD/GRO/50] # 1545

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