



State of Ohio Environmental Protection Agency

Northeast District Office

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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 8, 2008

**RE: HOLMES COUNTY LANDFILL
GROUND WATER**

CERTIFIED MAIL

Frank Lasky, Jr.
c/o World Resource Land Management, Inc.
1422 East Avenue
Erie, PA 16503

Joe Miller, Chairman
Holmes County Board of Commissioners
2 Court Street, Suite 14
Millersburg, OH 44654

Dear Sirs:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the Statistical Methods for Ground-Water Monitoring at the Holmes County Landfill. The Statistical Analysis Plan (StAP) was prepared and submitted to the Northeast District Office (NEDO) of Ohio EPA by North Point Engineering and Robert D. Gibbons, LTD, on the behalf of the Holmes County Board of Commissioners and World Resource Land Management, Inc. It is dated July 2007; and was received at NEDO on July 16, 2007.

Holmes County Landfill is operating under the revised 2003 Solid and Infectious Waste Regulations, and is required to conduct semi-annual ground water detection monitoring in accordance with OAC 3745-27-10 (D). The report was reviewed for compliance with OAC 3745-27-10 (C)(6), (C)(7), and (D)(7)(c)(i) of the 2003 revised Solid and Infectious Waste Regulations.

Ohio EPA has identified the following violation.

OAC 3745-27-10 (D)(7)(c)(i): The owner/operator of Holmes County Landfill is in violation of OAC 3745-27-10 (D)(7)(c)(i) for failing to specify which 1 of M re-sampling method will be used, and the number of re-samples, in the statistical analysis plan (StAP) required by paragraph (C)(6) of this rule. Subdivision 3 of the Overview section of the Statistical Analysis Plan (StAP) contains a generic discussion of verification re-sampling. While subdivision 3 details the merits of verification re-sampling, and the pros and cons of the

Frank Lasky, Jr., c/o World Resource Land Management, Inc.
Joe Miller, Chairman, Holmes County Board of Commissioners
July 8, 2008
Page 2

one verification resample verses two verification re-samples, it does not specifically state 1 of M re-sampling method will be utilized at Holmes County Landfill in accordance with OAC 3745-27-10 (D)(7)(c)(i).

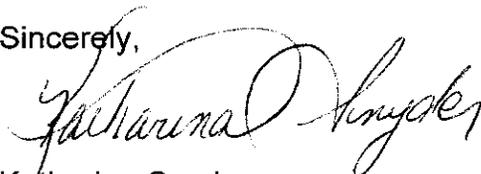
The owner/operator of Holmes County Landfill needs to revise the StAP to clearly indicate the 1 of M re-sampling method that will be utilized at Holmes County Landfill to return to compliance with this rule. Otherwise, the StAP appears to meet the requirements of OAC 3745-27-10 (C)(6) and (C)(7) of the revised 2003 Solid and Infectious Waste Regulations. The owner/operator has selected, and documented, the appropriate use of Shewhart-CUSUM control charts to statistically evaluate the ground water data in accordance with OAC 3745-27-10 (C)(6)(b). The StAP also adequately documents that the selected statistical method meets all performance standards of OAC 3745-27-10 (C)(7).

Please submit a response to this notice of violation by August 8, 2008.

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: Doug Dobransky, DDAGW-NEDO
Jon Croup, Holmes County Health Department
Jerry Galbraith, Director of Environmental Management
File: [Sowers/LAND/HOLMES/GRO/38] #201

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