



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

July 25, 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 OAC 3745-27-10 (D)(5)(b)(ii)(a) Background Data for Ground Water Monitoring Wells UZ-1R, UZ-3R, UZ-10, UZ-11, and UZ-12 at the Holmes County Landfill. The data were presented in the following six documents.

**August 2007 Background Sampling Event**  
**September 2007 Background Sampling Event**  
**October 2007 Background Sampling Event**  
**December 2007 Background Sampling Event**  
**March 2008 Background Sampling Event**  
**April 2008 Background Sampling Event**

The six ground water sampling reports each document an independent background sampling event for five recently installed new/additional ground water monitoring wells at the Holmes County Landfill. The reports were prepared and submitted to the Northeast District Office (NEDO) of Ohio EPA by North Point Engineering, on behalf of the Holmes County Board of Commissioners and World Resource Land Management, Inc., and are dated October 11, 2007, November 11, 2007, December 18, 2007, February 12, 2008, and May 20, 2008, respectively. They were received at NEDO on October 12, 2007, November 20, 2007, December 20, 2007, February 13, 2008, April 16, 2008, and May 22, 2008, respectively.

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). Five new/additional ground water monitoring wells

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designated as LZ-1R, LZ-3R, UZ-10, UZ-11, and UZ-12, were recently installed and added to the ground water monitoring system at the Holmes County Landfill. The reports document the 2<sup>nd</sup> through 7<sup>th</sup> background sampling events for recently installed ground water monitoring wells, and were reviewed for compliance with OAC 3745-27-10 (D)(5)(b)(ii)(a) of the 2003 revised Solid and Infectious Waste Regulations. Specifically, **OAC 3745-27-10 (D)(5)(b)(ii)(a)** requires during the "...initial one-hundred-and-eighty-days after implementing the ground water detection monitoring program (the first semiannual sampling event), a minimum of four independent samples must be collected from each monitoring well not screened in the uppermost aquifer system (background and downgradient) and analyzed for the parameters specified in paragraph (D)(5)(b)(i) of this rule. The owner or operator shall collect and analyze for the parameters specified in paragraph (D)(5)(b)(i) of this rule, by collecting a minimum of eight independent background samples during the initial year of sampling to use for the statistical analysis provisions of this rule. The owner or operator of a sanitary landfill facility with an existing ground water monitoring system may use existing data to meet the provisions of this paragraph provided the information required pursuant to paragraph (C) of this rule is available."

Ohio EPA has identified the following violations of OAC 3745-27-10:

1. **OAC 3745-27-10 (C)(3)(a)**: The owner or operator of the Holmes County Landfill has repeatedly violated OAC 3745-27-10 (C)(3)(a), which requires, in part, that "*potentiometric maps shall be constructed using the collected ground water elevation measurements and shall be included with the sampling data submittal,*" for the August 2007 background ground water sampling event.

The August, September, October, and December 2007, and March and April 2008 background sampling report did not contain a potentiometric map for the upper zone significant zone of saturation (SZS) wells, nor the lower zone SZS wells.

The owner/operator needs to revise the August, September, October, and December 2007, and March and April 2008 background sampling report to include potentiometric maps for both the upper zone SZS and the lower zone SZS to return to compliance with OAC 3745-27-10 (C)(3)(a) of the 2003 revised Solid and Infectious Waste regulations.

2. **OAC 3745-27-10 (C)(10)**: The owner or operator of the Holmes County Landfill is in violation of OAC 3745-27-10 (C)(10) which requires, in part, that "*All ground water elevation, sample analysis and statistical analysis results generated in accordance with paragraphs (B), (C), (D), (E) and (F) of this rule shall be submitted to Ohio EPA*

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*not later than seventy-five days after sampling the well. All ground water data and an accompanying text shall be submitted to Ohio EPA in a form specified by the director or his authorized representative. The data and accompanying text required to be submitted in accordance with this paragraph shall be placed in the operating record in accordance with rule 3745-27-09 of the Administrative Code” for the October 2007 background ground water sampling event.*

Attachment A, entitled “FIELD SHEETS FIELD QA/QC DATA,” of the October 2007 background sampling report is missing the ground water elevation field sheet. This ground water elevation field sheet contains the raw depth to water measurements from which ground water elevations were derived for the October 2007 background sampling report.

The owner or operator of Holmes County Landfill needs to revise Attachment A of the October 2007 background sampling report to include a copy of the ground water elevation field sheet to return to compliance with OAC 3745-27-10 (C)(10) of the 2003 revised Solid and Infectious Waste regulations.

- 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 recommendation:

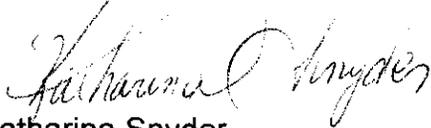
Table 3 of the August 2007 background sampling event report entitled “Groundwater elevations for August 2007 Sampling Event, Holmes County Landfill” appears to contain the correct depth to water measurement values measured on August 7, 2007. However, footnote #2 of Table 3 indicates the water levels were measured on June 5, 2007. The owner or operator of Holmes County Landfill may want to revise footnote #2 of Table 3 to indicate the depth to water measurements

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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If you have any questions concerning this letter, please contact me at (330) 963-1257.  
Submit a response to the notice of violation by August 25, 2008.

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] 889, 1011, 1085, 1231, 1491, 1581

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