OhioEPA
State of Ohio Environmental Protection Agency

Southeast District Office

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

April 24, 2009

RE: WASHINGTON COUNTY
FAC - NEW MATAMORAS LANDFILL

Mayor, Village of New Matamoras
P.O. Box 536
800 Grandview Avenue
New Matamoras, Ohio 45767

Dear Mayor:

On April 23, 2009, I conducted an inspection of the New Matamoras Landfill to determine compliance with closure requirements as stipulated in Ohio Administrative Code (OAC) Rule 3745-27-11.

In a letter dated February 25, 1999, Ohio EPA advised the Village of New Matamoras of the Village's closure requirements for the New Matamoras Landfill. Because the Village of New Matamoras did not fully comply with the requirements of the OAC Rules effective at the time the landfill ceased acceptance of waste, the Village is now required to close its facility in accordance with OAC Rule 3745-27-11(N), as effective June 1, 1994.

Violations of Ohio Administrative Code (OAC) 3745-27-11 and OAC 3745-27-19 have occurred. Pursuant to OAC 3745-27-11(G)(4), effective June 1, 1994, units which have ceased acceptance of solid waste prior to April 1, 1990, are subject to paragraphs (M) & (N) of OAC 3745-27-11.

Specifically, OAC 3745-27-11 paragraph (N) requires any owner, operator, permittee, or licensee of a sanitary landfill who, if by June 1, 1994, has not completed closure pursuant to paragraph (M)(3), to comply with paragraphs (F), (G), (H), (I) and (J) of this rule, 3745-27-10 and 3745-27-16.

Specific violations of OAC 3745-27-11 are as follows:

1. **OAC Rule 3745-27-11(F)** - The operator has failed to commence closure activities not later than seven days after ceasing to receive solid waste.

   A final cap system has not been constructed in accordance with the specifications found in paragraphs (G) & (H) of this rule. Please inform this office on the status of the Village of New Matamoras' progress in installing the required cap.

2. **OAC Rule 3745-27-11(G)(4)** - The owner has failed to construct a final cap system in accordance with the above cited rule consisting of a recompacted soil barrier layer, a drainage layer, a frost protection layer, and a vegetative layer.

3. **OAC Rule 3745-27-11(H)(1)** - The operator has failed to continue to comply with rule 3745-27-19 of the OAC until the closure certification is submitted and the post-closure period begins.

   Specific violations of OAC 3745-27-19 are as follows:

   a. **OAC Rule 3745-27-19(G)(2)** - All solid waste must be covered with a minimum of 12 inches of a well-compacted loam, silt loam, clay loam, silty clay loam, or silty clay or some combination thereof as an intermediate cover until a final cap is applied. The installation of a final cap that meets the requirements of paragraph N would satisfy the requirements of this rule.

   b. **OAC Rule 3745-27-19(J)(1)** - All surface water should be diverted away from the cover material to prevent infiltration.

      Construct drainage facilities to facilitate the drainage of surface water away from the waste placement area.

   c. **OAC Rule 3745-27-19(E)(3)** - The owner or operator shall restrict access to the facility. Access needs to be restricted from all unauthorized personnel. The access road needs to be closed off from unauthorized personnel from entering the site.

4. **OAC Rule 3745-27-11(I)** - Final closure activities have not been completed no later than one hundred and eighty days (180) after ceasing to accept solid waste.

   All closure activities shall be completed.

5. **OAC Rule 3745-27-12(A)**- The owner or operator has failed to submit an Explosive Gas Monitoring Plan to the director of Ohio EPA.

   An Explosive Gas Monitoring Plan was to be submitted to the director of Ohio EPA no later than February 1, 1989, as required by OAC 3745-27-12(A)(4)(i). Please inform this office on the status of the Village of New Matamoras' progress in developing an Explosive Gas Monitoring Plan.

6. **OAC Rule 3745-27-16** - A financial assurance instrument has not been submitted for the closure of this facility. Please submit this documentation as required by this rule.

In a March 18, 1999, letter to Ohio EPA, the Village of New Matamoras indicated that certain activities would be undertaken at the facility to begin addressing violations that were cited in a February 25, 1999, inspection letter. However, Ohio EPA has not received notification that any of those activities have been initiated. The March 18 letter from the village also requested assistance from Ohio EPA in securing funding for proper closure of the facility. Ohio EPA responded with recommendations to you in a letter dated June 21, 1999. I encourage you to continue seeking funding through the channels mentioned in Pete Thompson's June 21, 1999, letter as well as any other possible funding sources you are aware of.

Please respond to this letter within fifteen days, in writing, indicating your intentions and actions taken to correct the above cited violations. Please feel free to contact me at (740) 380-5443 if you have any questions.

Sincerely,

Trevor L. Irwin, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

TLI/jg