



State of Ohio Environmental Protection Agency

**Southwest District Office**

401 E. Fifth St.  
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249  
www.epa.state.oh.us

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

Clark Co  
Tremont LF  
Gen. Cert.

June 30, 2008

Tremont Landfill Company  
c/o Mr. Tom Danis  
110 N. Main St, Suite 1300  
Dayton, Ohio 45402

RE: **TREMONT LANDFILL, CLARK COUNTY**  
**Notice of Violation- 2<sup>nd</sup> Quarter 2008 Explosive Gas Report**

Dear Mr. Danis:

On June 26, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Southwest District Office (SWDO), received the documents titled Tremont Sanitary Landfill 2<sup>nd</sup> Quarter Explosive Gas Monitoring Results, dated June 24, 2008 and Tremont Landfill Implementation of Contingency Monitoring Plan, dated June 25, 2008 for the Closed Tremont Landfill (Facility) located in Clark County. These letters indicated that the explosive gas monitoring event took place on May 29, 2008. These documents were prepared and submitted by Civil and Environmental Consultants, Inc. on behalf of the Tremont Landfill Company.

Ohio EPA reviewed the documents to determine compliance with Ohio Administrative Code (OAC) Rule 3745-27-14 and the approved Permit -to-Install (PTI) # 05-4867, approved October 18, 1991, Explosive Gas Monitoring Plan revised March 17, 1995.

The Facility's approved explosive gas plan, dated March 17, 1995, page 22, states in part: "if any of the field measured gas concentration are above the explosive gas threshold limit (EGTL) refer to the contingency plan in section 6.6."

The contingency procedures on page 23, state in part:

"Immediately following initial recordings of gas concentrations in excess of the EGTL, the owner/operator will do the following:

1. Evaluate the potential hazards to property and/or human life for those structures within one-thousand (1,000) feet of the monitoring point in conjunction with the certifying/consulting engineer. Immediate notification shall be sent to the appropriate safety departments by phone and certified mail indicated in (3) below.

2. Resample for four (4) consecutive days two (2) times each day at the station where the gas concentrations exceeded the EGTL to qualify the detection as a positive find. If the average gas concentration through the eight samplings exceeds the EGTL, the sampling series will be considered a positive find. Upon completion of the four-day sampling, if a positive find is indicated, a second notification shall be sent to the appropriate safety departments by phone and certified mail as indicated in (3) below.
3. Should the four-day sampling indicate positive detection, forward a second notification to the appropriate health and safety authorities of the positive detection and the potential for hazards to life and/or property. This notification should be forwarded no later than one day following the four-day sampling series. Offices notified should include: 1) health department; 2) fire department; 3) police department; and 4) Southwest District Office-Ohio EPA. Names and addresses for these offices are contained in Appendix C.
4. Provide for corrective actions to be taken as specified by the certifying/consulting engineer and/or health and safety authorities.
5. Within seven days of detection, methane gas levels detected and description of any precautionary steps taken to protect human health will be place in the Operating Record.
6. Within sixty (60) days of detection, a copy of the remediation plan will be place in the operating record in accordance with rule 3745-27-09 of the administrative code."

As indicated in the letters above, the owner/operator failed to provide immediate notification upon the detection of an exceedance of the EGTL at monitoring probe MW-7S.

The owner/operator/permittee's failure to comply with the monitoring and reporting procedures in accordance with the approved Permit-to-Install (PTI) # 05-4867, approved October 18, 1991, Explosive Gas Monitoring Plan revised March 17, 1995, is a violation of OAC Rule 3745-27-14(A)(5), which states in part:

"Fulfilling all monitoring and reporting requirements in accordance with rule 3745-27-10 of the Administrative Code for ground water, with rule 3745-27-12 of the Administrative Code for explosive gas, with Chapter 3745-76 of the Administrative Code for landfill emissions, and with any monitoring required by any orders or authorizing documents."

According to the letter dated June 24, 2008, the explosive gas monitoring event took place on May 29, 2008, however the results of the sampling event were not submitted to the local health district and Ohio EPA SWDO within fifteen (15) days after the inspection date. The owner/operator/permittee's failure to submit the explosive gas monitoring

results summary not later than fifteen days after the inspection date detailing the results of the inspection is a violation of OAC Rule 3745-27-14 (A)(5) which states in part,

"Fulfilling all monitoring and reporting requirements in accordance with rule 3745-27-10 of the Administrative Code for ground water, with rule 3745-27-12 of the Administrative Code for explosive gas, with Chapter 3745-76 of the Administrative Code for landfill emissions, and with any monitoring required by any orders or authorizing documents. The frequency of ground water detection monitoring sampling and analysis may be changed in accordance with paragraph (D)(6) of rule 3745-27-10 of the Administrative Code."

This is also a violation of OAC Rule 3745-27-12(E)(4) which states in part:

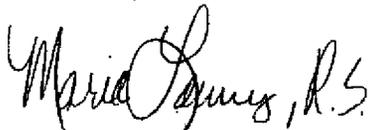
"Results shall be submitted to the appropriate district office of Ohio EPA and the local health district on a form prescribed by the director. The results shall be submitted within fifteen days of the date of sampling, unless the contingency procedures, pursuant to paragraph (E)(5) of this rule, are being followed."

As a reminder, the owner/operator shall submit explosive gas monitoring reports to Ohio EPA not later than fifteen days after the date of the sampling event.

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to, Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, or Resource Conservation and Recovery Act remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding, please contact me at (937) 285-6046.

Sincerely,



Maria Lammers, R.S.  
Environmental Specialist  
Ohio EPA-DSIWM

ML/mab

CC: Anne Kaup-Fett, Clark County Combined Health District  
Dale Vitale, Ohio Attorney General's Office  
Michael W. Krumholtz, Attorney- Bieser, Greer and Landis  
Thomas T. Terp, Attorney-Taft, Stettinius & Hollister  
Ralph Hirshberg, Civil and Environmental Consultants, Inc.



11/11/11