



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Seneca County
Sunny Farms Landfill
Ground Water

December 18, 2007

Mr. Gordon Reger
Regus Industries, LLC
2730 Transit Road
West Seneca, NY 14224

Dear Mr. Reger:

The Sunny Farms Landfill is located in Loudon Township, Seneca County, Ohio. The solid waste ID number is 74-00-02. Seven wells are in assessment monitoring. Sixteen wells are in detection monitoring. Based on the Ohio Environmental Protection Agency's (Ohio EPA's) evaluation, the facility is presently operating under the correct ground water monitoring phases, the well system is adequate for detection monitoring and the owner/operator should continue to monitor under the current program. Ohio EPA reviewed the report dated October 2007 (received October 29, 2007) in order to determine compliance with OAC Rule 3745-27-10.

COMMENTS

VIOLATIONS

1. **Ohio Administrative Code (OAC) Rule 3745-27-10(C)(10). The owner/operator is in violation of OAC Rule 3745-27-10(C)(10), requiring sample analysis and statistical analysis results generated in accordance with paragraphs (B), (C), (D), (E) and (F) of the rule shall be submitted to Ohio EPA not later than seventy-five days after sampling the well. In order to be in compliance with this rule for future sampling events, the owner/operator needs to submit sample analysis and statistical analysis results within 75 days of collecting samples from the wells.**

The owner/operator collected the ground water samples on May 15-17, 2007. The results should have been submitted by July 29, 2007. The results were received on October 29, 2007.

2. **OAC Rule 3745-27-10(C)(1)(a). The owner/operator is in violation of OAC Rule 3745-27-10(C)(1)(a) requiring use of the procedures documented within the sampling and analysis plan. The owner/operator should purge the monitoring wells until the field parameters have stabilized according to the Groundwater Quality Assessment Plan (GWQAP) in all future sampling events.**

According to the November 2006 and the September 2007 revisions of the GWQAP, "Four field parameters (pH, specific conductance, temperature, and turbidity) and the depth-to-water shall be measured and the results recorded during purging. Field readings shall be measured and recorded at least three to five minutes apart. ... Sampling will proceed when drawdown has stabilized and the following stabilization criteria have been met for the four measured field parameters over three successive readings (collected after drawdown has stabilized): ph- ± 0.1 standard units; specific conductance- ± 3 percent; temperature - ± 0.5 degrees Celsius; and turbidity - ± 10 percent (when greater than 10 nephelometric turbidity units [NTU]) or maintained at less than 10 NTUs."

According to the Groundwater Monitoring Well Record Form for MP10A specific conductance did not meet the stabilization requirement.

3. **OAC Rule 3745-27-10(C)(6). The owner/operator is in violation of OAC Rule 3745-27-10(C)(6) requiring that the statistical method ensure protection of human health and the environment. The owner/operator should remove the outliers from the background data sets, calculate new tolerance limits, revise the statistical plan, and conduct the statistical analyses again.**

In telephone conversations on September 26 and 28, and October 1, 2007 between Brent Smith of Burgess and Niple, and Jack Leow of the Ohio EPA, it was agreed that the outliers identified in the Groundwater Quality Assessment and Groundwater Detection Monitoring Plans dated May 2004, Revised September 2007 would need to be removed from the background data base. The statistical limits would need to be calculated using the revised background data set. The interwell statistical comparisons for the May 2007 sampling event data would need to be conducted using the new statistical limits. If the outliers were removed from the background data set, new statistical limits were calculated and statistical comparisons were conducted using the new limits the owner/operator would avoid receiving a violation.

The inclusion of outliers in the background data sets could create false negative statistical increases, and, therefore, does not ensure protection of human health and the environment.

According to ASTM Method D6312, page 947, "To remove the possibility of this type of error, the historical data are screened for each well and constituent for the existence of outliers... These outlying data points are indicated ... but are excluded from the measurements that are used to compute the background mean and standard deviation."

The Ohio EPA has received the reports titled "Statistical Analysis of Groundwater Quality Data May 2007 Semiannual Detection Monitoring Event" and "Semiannual Determination of Rate, Extent, and Concentration - May 2007 Groundwater Quality Assessment Monitoring Event" both dated October 2007. The outliers (Table 11 of the GWQAP) were not removed from the background data sets.

4. **OAC Rules 3745-27-10(C)(1)(a) & (E)(5)(b)(i)(b). The owner/operator is in violation of OAC Rule 3745-27-10(C)(1)(a) requiring use of the procedures documented within the sampling and analysis plan. The owner/operator is in violation of OAC Rule 3745-27-10(E)(5)(b)(i)(b) requiring that the owner operator sample semiannually for all constituents reported to the director in accordance with (E)(5)(c). For all future sampling events the owner/operator should analyze the ground water samples for tin collected in May 2007.**

According to the GWQAP, page 57, "Based upon the Ohio EPA Central Office (CO) interpretation, a parameter may be removed from assessment monitoring in accordance with OAC 3745-27-10(E)(5)(c): ... Under the Ohio EPA CO interpretation, this regulation is intended to identify parameters detected for a given sampling event, not all parameters detected historically. Therefore, if a parameter that was previously statistically significant is not detected in any of the assessment monitoring wells, it is not placed in the operating record for that event. Since it is not a detected constituent for that event, no determination of rate and extent of migration is made for that event under OAC 3745-27-10(E)(10). Per OAC 3745-27-10(E)(5)(b)(i) and (ii), monitoring of that parameter will resume semiannually or annually, respectively, during the next scheduled monitoring event."

Mr. Gordon Reger
December 18, 2007
Page Four

Samples collected from assessment wells MP2AR, 7AR, 11A, 14A, 20A, 24A, 25A, 26A & 27A.in May 2007 were not analyzed for Tin.

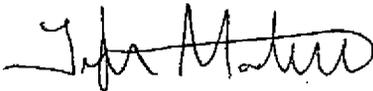
STATEMENTS

6. **The statement below does not preclude the owner/operator from determining the rate, extent and concentration of the contamination.**

According to the report, page 15, paragraph 1, "In the event a constituent was reported above background concentrations in one or more of the downgradient assessment monitoring wells but was at or below background concentrations in MP-20A, MP-24A, MP-25A, MP-26A, and MP-27A, elevated concentrations of that constituent were considered to be contained on site."

If you have any questions please contact Jack Leow at the Ohio EPA, Northwest District Office, Division of Drinking and Ground Waters, 347 N. Dunbridge Rd., Bowling Green, Ohio 43402. Submit all reports/data to Tyler Madeker, Ohio EPA, Northwest District Office, Division of Solid and Infectious Waste Management, 347 N. Dunbridge Rd., Bowling Green, Ohio 43402.

Sincerely,



Tyler Madeker S.I.T.
Environmental Specialist
Division of Solid and Infectious Waste Management

/lb

pc: John Walker, Sunny Farms Landfill, LLC
Nicki Rumschlag, Seneca County Health Department
Eric Van Heyde, Civil & Environmental Consultants
Carl Mussenden, DSIWM, CO

~~NWDO File: Seneca County, Sunny Farms Landfill, Groundwater~~

ec: Jack Leow, DDAGW, NWDO
Habib Kaake, DSIWM, NWDO
Andy Drumm, DSIWM, NWDO
Tyler Madeker, DSIWM, NWDO

id: 5-7292