



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Seneca County
Sunny Farms Landfill
Ground Water

November 28, 2007

Mr. Michael Holmes
Regus Industries, LLC
2730 Transit Road
West Seneca, New York 14224

Dear Mr. Holmes:

The Sunny Farms Landfill is located in Loudon Township, Seneca County, Ohio. Seven wells are in assessment monitoring. Sixteen wells are in detection monitoring. Based on 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 the detection monitoring and the owner/operator should continue to monitor under the current program. Ohio EPA reviewed the Groundwater Quality Assessment Plan, Revision dated September 2007, (5-7188), Groundwater Detection Monitoring Plan Revision dated September 2007, (5-7189) and Response to Ohio EPA Compliance Letters dated September 14, 2007, (5-7192) in order to determine compliance with OAC Rule 3745-27-10.

COMMENTS

The comments are in reference to three documents, numbered 1-3 below, and received by the Ohio EPA, Northwest District Office (NWDO) on September 17, 2007. Document number 1 was sent in response to an Ohio EPA letter dated September 14, 2007, (5-7192). Document number 2 is a September 2007, revision of the Ground Water Quality Assessment Plan (5-7188). Document number 3 is a September 2007, revision of the Groundwater Detection Monitoring Plan (5-7189).

1. RESPONSE TO OHIO EPA COMPLIANCE LETTERS DATED SEPTEMBER 14, 2007 (5-7192)

The Ohio EPA comments follow the format of the documents submitted by the owner/operator.

I. OHIO EPA LETTER DATED NOVEMBER 10, 2006 (5-6556)

This letter was sent in response to two Ohio EPA letters 5-5999 and 5-6040

A. OEPA ID 5-5477 DATED OCTOBER 31, 2005

EVALUATION OF RESPONSES TO PREVIOUSLY CITED VIOLATIONS

- 3. The owner/operator remains in violation of OAC Rule 3745-27-10(E)(6)(a), requiring a determination of rate, extent, and concentration of the contamination. Sunny Farms must conduct further investigation on site.**

The owner/operator has submitted the steps that will be taken to address this violation. The owner/operator will remain in violation until the appropriate information is submitted to and reviewed by Ohio EPA.

Additional Violations

The owner/operator remains in violation of OAC 3745-27-10(E)(6)(a) for not making a first determination of rate, extent and concentration as stated in other letters.

The owner/operator has submitted the steps that will be taken to address this violation. The owner/operator will remain in violation until the appropriate information is submitted to and reviewed by Ohio EPA.

EVALUATION OF PREVIOUSLY CITED VIOLATIONS

- 1. The owner/operator has adequately addressed the violation of Ohio Administrative Code (OAC) Rule 3745-27-10(C)(7)(e) as described below. As a result of the updating of the background data set, compliance with OAC Rule 3745-27-10(C)(4), (B)(3), and (C)(7)(f) cannot be determined. Note that this comment is being made by Ohio EPA prior to completing a thorough review of the reports received concerning the November 2006, sampling ...**

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 will need to be calculated using the revised background data set. The interwell statistical comparisons for the May 2007, sampling event data will need to be conducted using the new statistical limits. If the outliers are removed from the background data set, new statistical limits are calculated and statistical comparisons are conducted using the new limits the owner/operator will avoid receiving a violation.

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. It appears from a quick review of the background datasets that the outliers were not removed as discussed.

B. OEPA ID 5-5478 OCTOBER 31, 2005

**EVALUATION OF MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE
COMMENTS**

3&5. The owner/operator has submitted sufficient information to avert a violation at this time.

C. OEPA ID 5-5295, 5296, 5297 DATED NOVEMBER 1, 2005

Letter dated December 2, 2004

RESPONSES TO OHIO EPA COMMENT LETTER ID 5-4461

**EVALUATION OF THE OWNER/OPERATOR'S RESPONSE TO PREVIOUSLY CITED
VIOLATIONS**

2. The owner/operator has adequately addressed the violation, as specified in this comment.

Ohio EPA Letter Dated March 8, 2005 (5-4929)

**EVALUATION OF THE OWNER/OPERATOR'S RESPONSE TO PREVIOUSLY CITED
VIOLATIONS**

5. The owner/operator has adequately addressed this violation, as specified in this comment, by stating in the Groundwater Quality Assessment Plan and the Groundwater Detection Monitoring Plan, both dated May 2004, Revised September 2007, "In the event all background data is reported below the laboratory PQL for an individual parameter, the nonparametric prediction limit is considered to be the current lowest PQL."

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

6. The owner/operator has submitted sufficient information to avert this violation.

Ohio EPA Letter Dated March 8, 2005 (5-4930)

**EVALUATION OF THE OWNER/OPERATOR'S RESPONSE TO PREVIOUSLY CITED
VIOLATIONS**

7. The owner/operator is now in violation of OAC Rule 3745-27-10(E)(6)(a), requiring: A determination of rate, extent, and concentration.

The owner/operator has submitted the steps that will be taken to address this violation. The owner/operator will remain in violation until the appropriate information is submitted to and reviewed by Ohio EPA.

4. **Previously cited violation number 4. OAC Rule 3745-27-10(C)(1)(a): The owner/operator remains in violation of OAC Rule 3745-27-10(C)(1)(a), requiring (see the Rule citation in comment 3). OAC Rule 3745-27-10(C)(7)(e):...**

OAC 3745-27-10(C)(1). Compliance with OAC Rule 3745-27-10(C)(1) cannot be determined at this time.

The owner/operator has revised the arsenic and nickel tolerance limits; therefore, the violation, as specified in this comment, has been addressed. There is an outlier that needs to be removed from the data base for nickel (see comment 1 in section I.A. above).

EVALUATION OF THE OWNER/OPERATOR'S RESPONSE TO MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE COMMENTS

5. It appears at this time that the owner/operator has submitted sufficient information to avert a violation.

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

1. **OAC 3745-27-10(C)(1). Compliance with OAC Rule 3745-27-10(C)(1) cannot be determined at this time.**

The owner/operator has revised the arsenic and nickel tolerance limits; therefore, the violation, as specified in this comment, has been averted. There is an outlier that needs to be removed from the data base for nickel (see comment 1 in section I.A. above).

E. OEPA ID 5-5732 DATED FEBRUARY 16, 2006

COMMENTS

EVALUATION OF PREVIOUSLY CITED VIOLATIONS

3. & 4. The owner/operator has adequately addressed these violations, as specified in this comment, by stating in the Groundwater Quality Assessment Plan and the Groundwater Detection Monitoring Plan, both dated May 2004, Revised September 2007, "In the event all background data is reported below the laboratory PQL for an individual parameter, the nonparametric prediction limit is considered to be the current lowest PQL."

F. OEPA ID 5-5768 DATED FEBRUARY 16, 2006

COMMENTS

EVALUATION OF OWNER/OPERATOR RESPONSE TO PREVIOUSLY CITED VIOLATIONS

1. **...The violation should not have been rescinded as stated in the Ohio EPA letter dated November 1, 2005...**

The owner/operator has submitted the steps that will be taken to address this violation. The owner/operator will remain in violation until the appropriate information is submitted to and reviewed by Ohio EPA.

G. OEPA ID 5-5731 DATED MARCH 22, 2006

COMMENTS

EVALUATION OF THE OWNER/OPERATOR'S RESPONSE TO PREVIOUSLY CITED VIOLATIONS

1. **OAC Rule 3745-27-10(C)(7)(e): The owner/operator continues to be in violation of OAC Rule 3745-27-10(C)(7)(e), requiring:**

...arsenic has a tolerance limit of 49.95 ug/L and nickel has a tolerance limit of 99.9 ug/L.

The owner/operator has revised the arsenic and nickel tolerance limits; therefore, the violation, as specified in this comment, has been addressed. There is an outlier that needs to be removed from the data base for nickel (see comment 1 in section I.A. above).

II. GROUNDWATER DETECTION MONITORING PLAN (GWDMP) REVISED NOVEMBER 2006, 5-6558

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

1. **OAC Rule 3745-27-10(C)(4): Compliance with OAC Rule 3745-27-10(C)(4) cannot be determined at this time. For the (C)(4) rule citation see comment 1 on pages 3-5.**

In order to prevent violations of OAC Rule 3745-27-10(C)(4),...

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 will need to be calculated using the revised background data set. The interwell statistical comparisons for the May 2007, sampling event data will need to be conducted using the new statistical limits. If the outliers are removed from the background data set, new statistical limits are calculated and statistical comparisons are conducted using the new limits the owner/operator will avoid receiving a violation.

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. It appears from a quick review of the background datasets that the outliers were not removed as discussed.

**III. GROUNDWATER QUALITY ASSESSMENT PLAN (GWQAP) REVISED
NOVEMBER 2006, 5-6557**

VIOLATIONS

1. The owner/operator remains in violation of OAC Rule 3745-27-10(E)(6)(a) requiring: **A determination of rate, extent, and concentration... at a minimum, determines the following: (a) The rate and extent of migration of the waste-derived constituents in the ground water.**

The owner/operator has submitted the steps that will be taken to address this violation. The owner/operator will remain in violation until the appropriate information is submitted to and reviewed by Ohio EPA.

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

2. **OAC Rule 3745-27-10(C)(4): Compliance with OAC Rule 3745-27-10(C)(4) cannot be determined at this time. For the (C)(4) rule citation see comment 1 on pages 3-5.**

In order to prevent violations of OAC Rule 3745-27-10(C)(4), ...

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 will need to be calculated using the revised background data set. The interwell statistical comparisons for the May 2007, sampling event data will need to be conducted using the new statistical limits. If the outliers are removed from the background data set, new statistical limits are calculated and statistical comparisons are conducted using the new limits the owner/operator will avoid receiving a violation.

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. It appears from a quick review of the background datasets that the outliers were not removed as discussed.

IV. OHIO EPA LETTER DATED MAY 23, 2007 (5-6702)

VIOLATIONS

1. **Ohio Administrative Code (OAC) Rules 3745-27-10(C)(5)(b). The owner/operator is in violation of OAC Rule 3745-27-10(C)(5)(b), ..., and (4) the well should be properly plugged and abandoned.**

The owner/operator has adequately addressed this violation.

In order to avoid receiving violations for OAC Rule 3745-27-10(C)(4), (B)(3), and (C)(7)(f) outliers should be removed from the background data set, new statistical limits should be calculated and statistical comparisons should be conducted using the new limits. In telephone conversations on September 26 and 28, 2007, 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 will need to be calculated using the revised background data set. The interwell statistical comparisons for the May 2007, sampling event data will need to be conducted using the new statistical limits.

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. It appears from a quick review of the background datasets that the outliers were not removed as discussed.

2. **OAC Rule 3745-27-10(C)(4), and (B)(1)(a). The owner/operator is in violation of OAC Rule 3745-27-10(C)(4) requiring The owner or operator shall establish background ground water quality, unless the exception in paragraph (C)(5) of this rule applies, by analyzing ground water samples collected from hydraulically upgradient wells(s) ... MP12A cannot be used as an upgradient monitoring location in any future sampling events, and the well should be properly plugged and abandoned.**

The owner/operator has adequately addressed the violation, as specified in this comment.

3. **OAC Rule 3745-27-10(C)(5)(b): The owner/operator is in violation of OAC Rule 3745-27-10(C)(5)(b) requiring, (see comment 1 above for the citation of the rule)**

According to the report, section 6.2, page 17, "...The following Appendix I constituents were determined to be above background concentration: chloride in MP-2AR; and ammonia, calcium, chloride, iron, magnesium, potassium, selenium, sodium, total alkalinity, and TDS in MP-7AR..."

For reasons discussed in comments 1 and 2 above and comment 6 below, some of the background data used to calculate tolerance limits cannot be used for that ... The owner/operator needs to calculate new statistical limits (parametric and nonparametric) for all of the parameters and submit a new list of parameters that exceed the calculated limits as required by OAC Rule 3745-27-10(E)(5)(c) in order to return to compliance.

The owner/operator partially addressed the violation, as specified in this comment, by removing data from background data set, statistical limits were revised and the statistics for the November 2006, data were conducted again. There are still outliers in the new data sets that need to be removed (see comment 1 above).

4. **OAC Rule 3745-27-10(C)(1)(a):** The owner/operator is in violation of OAC Rule 3745-27-10(C)(1)(a) requiring, A written sampling and analysis plan, which documents the sampling and analysis procedures ... In order to prevent this violation in future sampling events, the owner/operator should follow the procedures contained in the GWQAP.

Based on the information submitted by the owner/operator and further review, it is recommended that the violation of OAC Rule 3745-27-10(C)(1)(a) be rescinded.

5. **OAC Rule 3745-27-10(C)(9).** The owner/operator is in violation of OAC Rule 3745-27-10(C)(9) requiring, The number of samples collected to establish ground water quality data shall be consistent with the appropriate statistical procedures determined pursuant to paragraphs (C)(6) and (C)(7) of this rule.

The owner/operator has conducted statistical analyses using interwell tolerance limits.

The owner/operator has adequately addressed this violation, as specified in this comment.

OAC Rule 3745-27-10(C)(1). The owner/operator is in violation of OAC Rule 3745-27-10(C)(1), The ground water monitoring program shall include consistent sampling and analysis procedures and statistical methods that are protective of human health and the environment ... (see the list in Table 1 for the wells and parameters) associated with NTUs greater than 110, above 140 NTUs for MP12A; (2) conduct statistical analyses using the updated background data set; (3) redevelop wells as necessary and use sampling techniques to consistently produce ground water samples with a turbidity less than 110 NTUs.

The owner/operator has removed all of the data from the background data base that were listed on Table 1; therefore, the violation, as specified in this comment, has been adequately addressed.

STATEMENTS

7-9. No response necessary at this time.

V. OHIO EPA LETTER DATED MAY 23, 2007 (5-6703)

VIOLATIONS

1. Ohio Administrative Code (OAC) Rules 3745-27-10(C)(5)(b). The owner/operator is in violation of OAC Rule 3745-27-10(C)(5)(b), requiring Background ground water quality at a sanitary landfill facility may be based on sampling of wells that are not hydraulically upgradient where either of the following occur:(b) Sampling of other wells will provide an indication of background ground water quality that is as representative or more representative than that provided by upgradient wells....

In order to return to compliance with OAC Rules 3745-27-10(C)(5)(b), the owner/operator needs to: (A) remove the data for wells MP10A, MP13A, and MP15A from the background data set for any statistical analyses and conduct the statistical analyses again. Tables 1, 6, 7, 9, and 11 will need to be corrected. Statistical analysis is not required in assessment monitoring; therefore, the owner/operator can also return to compliance by comparing the downgradient assessment well data to the revised upgradient data. (B) The owner/operator needs to update the background data set by removing, from the background data set, any data collected for a well when it became a sidegradient/ downgradient well and data from any well never considered to be an upgradient well (MP10A, 13A, 16A) [see Table 1, above for status of the wells at a particular phase of construction, and Table 2 for the time periods that the wells were/are considered upgradient]; and (C) the owner/operator should (1) not use MP16A as an upgradient monitoring well, (2) remove the data for well MP16A from the background database for interwell statistical analyses, (3) conduct the statistical analyses without the data from MP16A in the background database, and (4) well MP16A should be properly plugged and abandoned.

The owner/operator has adequately addressed the violation, as specified in this comment.

2. OAC Rule 3745-27-10(C)(4), and (B)(1)(a). The owner/operator is in violation of OAC Rule 3745-27-10(C)(4) requiring The owner or operator shall establish background ground water quality, unless the exception in paragraph (C)(5) of this rule applies, by analyzing ground water samples collected from hydraulically upgradient wells(s) for each of the monitoring parameters or constituents required in the ground water monitoring program.

and OAC Rule (B)(1)(a) requiring, **The ground water monitoring system, for detection monitoring, assessment monitoring, or corrective measures, shall consist of a sufficient number of wells, installed at appropriate locations and depths, to yield ground water samples from both the uppermost aquifer system and any significant zones of saturation that exist above the uppermost aquifer system that do the following: (a) Represent the quality of the background ground water that has not been affected by past or present operations at the sanitary landfill facility.**

Well MP12A was the original upgradient well for the SZS. It was removed from the system based on a letter dated August 2, 2001, from Mark Ruoff of the Mark James Corporation and the letter dated August 16, 200,1 from Mike Leone of Burgess and Niple both consultants for the previous owner/operator. ...

... In order to return to compliance with OAC Rule 3745-27-10(C)(4),and (B)(1)(a) , the owner/operator needs to remove MP12A data from background and conduct the statistical analyses again , MP12A cannot be used as an upgradient monitoring location in any future sampling events, and the well should be properly plugged and abandoned.

The owner/operator has adequately addressed the violation, as specified in this comment.

- 3. OAC Rule 3745-27-10(C)(1)(a): The owner/operator is in violation of OAC Rule 3745-27-10(C)(1)(a) requiring, A written sampling and analysis plan, which documents the sampling and analysis procedures that shall be utilized in the ground water monitoring program. The owner or operator is required to use the procedures documented within the sampling and analysis plan.**

...The owner/operator is in violation for not following the GWDMP. In order to prevent this violation in future sampling events, the owner/operator should follow the procedures contained in the GWDMP.

Based on the information submitted by the owner/operator and further review, it is recommended that the violation of OAC Rule 3745-27-10(C)(1)(a) be rescinded.

- 4. OAC Rule 3745-27-10(B)(3)(e). The owner/operator is in violation of OAC Rule 3745-27-10(B)(3)(e). According to OAC Rule 3745-27-10(B)(3)(e), The monitoring wells, piezometers, and other measurement, sampling, and analytical devices shall be operated and maintained to perform to design specifications throughout the life of the monitoring program.**

The Groundwater Monitoring Well Record Form for well MP13A has a note in the comment section stating "PVC Riser seems to have sunk into ground, bentonite along edges of well casing higher than riser! Cement Pad loose!" This well has not been maintained to perform to design specifications.

In order to regain compliance with OAC Rule 3745-27-10(B)(3)(e), the owner/operator needs to repair or replace well MP13A before the next sampling event.

The owner/operator states that "Repairs will be made to MP-13A in the near future and documented in a report to the Ohio EPA." This will remain as a violation until the well is repaired.

5. **OAC Rule 3745-27-10(E)(6). The owner/operator is in violation of OAC Rule 3745-27-10(E)(6) [1994 rules OAC Rule 3745-27-10(E)(5)].**

According to OAC Rule 3745-27-10(E)(6), A determination of rate, extent, and concentration. The owner or operator shall implement the "ground water quality assessment plan" which satisfies the requirements of paragraphs (E)(3), (E)(4), and (E)(5) of this rule and...

...In order to come into compliance OAC Rule 3745-27-10(E)(6) for this citation, the owner/operator should add wells MP1AR and MP4A to the assessment monitoring program, and submit a ground water quality assessment plan(s) according to OAC Rule 3745-27-10(E) for wells MP1AR and MP4A...

The owner/operator has added wells MP-1AR and MP-4A to the assessment monitoring program and has conducted the statistical analyses using the revised database; therefore, the violation, as specified in this comment, has been adequately addressed.

6. **OAC Rule 3745-27-10(C)(7)(a): The owner/operator is in violation of OAC Rule 3745-27-10(C)(7)(a) requiring "The statistical method used to evaluate ground water monitoring data shall be appropriate for the distribution of chemical parameters or waste-derived constituents..."**

...In order to regain compliance with OAC Rule 3745-27-10(C)(7)(a), the owner/operator should calculate parametric interwell prediction limits using a K of 2 and conduct the statistical analyses for ammonia, chloride, potassium, sodium, arsenic, barium and zinc in wells MP9B and MP10B and submit the results to Ohio EPA...

The owner/operator has conducted the statistical analyses using the correct K value; therefore, the violation, as specified in this comment, has been adequately addressed.

7. **OAC Rule 3745-27-10(C)(1): The owner/operator is in violation of OAC Rule 3745-27-10(C)(1) requiring "The ground water monitoring program shall include consistent sampling and analysis procedures and statistical methods that are protective of human health and the environment and that are designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells installed in accordance with paragraph (B), (D), (E), or (F) of this rule." ...**

...The owner/operator is in violation for using data collected from the six sampling events from October 4, 1995, to June 24, 1998, in the background data sets for wells MP1A-AR, and 8A-AR...

The owner/operator has removed the data and conducted the statistical analyses using the revised database; therefore, the violation, as specified in this comment, has been adequately addressed.

8. **OAC OAC Rule 3745-27-10(C)(1). The owner/operator is in violation of OAC Rule 3745-27-10(C)(1) requiring: See comment 7 for the rule citation...**

...In order to regain compliance with OAC Rule 3745-27-10(C)(1) the owner/operator should remove the data for wells MP1A and 8A that are described above, conduct the statistical analyses again, and submit the results to the Ohio EPA.

The owner/operator has removed the data and conducted the statistical analyses using the revised database; therefore, the violation, as specified in this comment, has been adequately addressed.

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

9. **OAC Rule 3745-27-10(B)(3). Compliance with OAC 3745-27-10(B)(3) can not be determined at this time. See comment 2 for the rule citation.**

According to the Potentiometric Surface of the Glacial Till Unit Measured November 13, 2006, the water level for well MP3A is higher than what is expected for the ground water flow regime at the landfill in the SZS...

...In order to maintain compliance with OAC Rule 3745-27-10(B)(3), the owner/operator should determine the cause of the higher water levels...

The owner/operator states, "In order to determine if the drainage ditch may be affecting MP-3A, the potential presence of seasonal trends in groundwater elevations, correlations with rain reported on the field sampling sheets to changes in ground water elevation, and other plausible reasons for the variable groundwater elevations will be evaluated. In addition, semiannual inspections of the well will be completed during the next sampling event. If the results of the additional groundwater elevation evaluations of monitoring well inspections reveal any defects or issues with MP-3A, the well will be properly abandoned and replaced."

The owner/operator has submitted the steps that will be taken to try to determine the cause of the higher water levels in well MP3A. A violation, as specified in this comment, will not be cited at this time. A violation may be cited if a report of the evaluation, described by the owner/operator, is not received in a reasonable amount of time.

STATEMENTS

10 & 11. No response necessary.

2. GROUNDWATER QUALITY ASSESSMENT PLAN DATED MAY 2005, REVISED SEPTEMBER 2007, (5-7188)

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

OAC Rule 3745-27-10(C)(1). Compliance with OAC 3745-27-10(C)(1) requiring statistical methods are designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells can not be determined at this time. The owner/operator needs to revise the plan by indicating that the outliers will be removed or explain how the statistical methods are designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells in order violations of OAC 3745-27-10(C)(1).

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 Plan dated May 2004, Revised September 2007, would need to be removed from the background data base.

Table 11 contains a summary of the outliers for the background datasets. The table indicates that for the outliers listed "No errors identified. True but extreme value. Keep." A quick review of the assessment data (see comment 1 in section 1. I. A. above) indicates that all of the outliers on Table 11 remain in the background dataset.

STATEMENTS

2. According to the plan, page 35, section 5.9, "...Ohio EPA will be consulted for approval of the new monitoring well locations..."

The Ohio EPA does not approve monitoring well locations.

3. GROUNDWATER DETECTION MONITORING PLAN DATED MAY 2005, REVISED SEPTEMBER 2007, (5-7189)

MORE INFORMATION NEEDED TO DETERMINE COMPLIANCE

1 **OAC Rule 3745-27-10(C)(1). Compliance with OAC Rule 3745-27-10(C)(1) requiring statistical methods are designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells can not be determined at this time.**

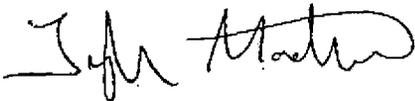
The owner/operator needs to revise the plan by indicating that the outliers will be removed or explain how the statistical methods are designed to ensure monitoring results that provide an accurate representation of ground water quality at the background and downgradient wells in order violations of OAC Rule 3745-27-10(C)(1).

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 Detection Monitoring Plan dated May 2004; Revised September 2007, would need to be removed from the background data base.

Table 11 contains a summary of the outliers for the background datasets. The table indicates that for the outliers listed "No errors identified. True but extreme value. Keep." A quick review of the detection data (see comment 1 in section 1. I. A. above) indicates that all of the outliers on Table 11 remain in the background dataset.

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

//lr

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: 5-7188,89,92