



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Marion City Landfill
Quarterly Inspections

April 20, 2009

Mr. Jay Shoup, Service Director
City of Marion
233 West Center Street
Marion, Ohio 43302

Dear Mr. Shoup:

This letter is in response to correspondence dated February 26, 2009, and received March 12, 2009, from the Floyd Browne Group (FBG). The February 26, 2009, letter detailed the 2008 4th quarter inspection at the closed Marion City Landfill (Facility) conducted on February 9, 2009, on behalf of the City of Marion (Owner/Operator).

Pursuant to Ohio Administrative Code (OAC) Rule 3745-27-14(A)(4), quarterly post closure inspections are required to be completed at the Facility. The 2008 4th quarter inspection was required to be completed between October 1, 2008, and December 31, 2008. In the February 26, 2009, letter, the FBG states "Due to staffing issues Floyd Browne Group was unable to conduct the fourth quarter sampling by the end of 2008. Therefore, Floyd Browne Group performed its fourth quarter post-closure inspection of the City of Marion Sanitary Landfill for the 2008 calendar year on February 9, 2009." Since the 4th quarter 2008 inspection was not completed in the time frame required by OAC Rule 3745-27-14(A)(4), the Owner/Operator is in **violation of OAC Rule 3745-27-14(A)(4)**. In the future, the Owner/Operator must adhere to all required inspection frequencies.

The Owner/Operator should also note that explosive gas sampling has been completed quarterly by the FBG as a portion of the quarterly inspections. Pursuant to OAC Rule 3745-27-12(E)(1)(c), explosive gas sampling is only required to be completed semiannually for this Facility. Certainly, the Owner/Operator may complete explosive gas sampling more frequently than the required semiannually if they wish to do so.

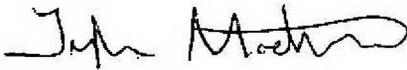
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In the inspection report, it was noted that several of the explosive gas monitoring probes are in need of repair. These repairs need to be made as soon as possible. The maintenance required is detailed below:

- GP-1 - Probe well seal still compromised
- GP-3 - The hinges are broken on the protective casing lid
- GP-4 - The hinges are broken on the protective casing lid

If you have any questions, please contact me at 419-373-3078, or via email at tyler.madeker@epa.state.oh.us

Sincerely,



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

/llr

pc: James Bischoff, City Engineer
Joe Evens, Marion County Health Department
Stephan Ryder, Floyd Browne Group
John DeNunzio, CEC Inc.
{DSIWM-NWDO File: Marion County, Marion City Landfill, Inspections }

ec: Andy Drumm, DSIWM-NWDO
Mike Reiser, DSIWM-NWDO
Ken Brock, DDAGW-NWDO