Ohio | Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 1, 2012

Mr. Phil Stegman
Service Director, Village of St. Bernard
110 Washington Avenue
St. Bernard, Ohio 45217

CERTIFIED MAIL

Re: **Notice of Violation** of Director's Final Findings Order, September 16, 2009
Village of St. Bernard Landfill, Hamilton County, Ohio

Dear Mr. Burkhardt:

On September 16, 2009, the Director of the Ohio Environmental Protection Agency ("Ohio EPA") issued Director's Final Findings and Orders ("Orders") consensually entered into with the Village of St. Bernard ("Village") to abate to minimize the formation and migration of explosive gas at the St. Bernard Landfill ("Facility") located east of Interstate 75 and south of Bank Avenue in St. Bernard, Hamilton County, Ohio.

Violation of Order 28

Order 28 of the Orders states "...all explosive gas alarms either recalibrated pursuant to Order 24 or installed pursuant to Order 26 shall be recalibrated by Respondent annually upon consent of access by the owner or the tenant...Ohio EPA shall receive a copy of the operation and calibration results not later than seven (7) days after Respondent's receipt of these results."

To date, Ohio EPA has not received a copy of the operation and calibration results for the annual recalibration of the explosive gas alarms pursuant to Order 28. Ohio EPA is not aware that the annual recalibration of the explosive gas alarms for 2011 has occurred at all. Consequently, the residents adjacent to the landfill, who depend on these alarms to protect their families, may be in physical jeopardy due to this failure to comply with the Orders.

Because the Village has to date failed to submit this documentation and thus Ohio EPA is unable to confirm recalibration of the explosive gas alarms has occurred, the Village **is in violation of Order 28** of the Orders.

Please provide a written response within seven (7) days upon receipt of this correspondence to Ohio EPA, DMWM, SWDO regarding a plan and timeline the Village intends to implement to remedy this situation and ensure that this failure does not occur in the future.

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

IN EDOCS+f

It is imperative that these explosive gas alarms are recalibrated expediently to protect the health and safety of these residents and that this documentation is submitted to Ohio EPA promptly. As stated by the Ohio Department of Health, methane continues to pose a potential physical hazard to the residents living adjacent to the landfill.

Should you have any questions or concerns, please do not hesitate to contact me at (937) 285-6072.

Sincerely,

Holly H. Hillyer
Environmental Specialist
Division of Materials and Waste Management

HHH/tf

ec: Tim Ingram, Hamilton County Public Health
Chuck DeJonckheere, Hamilton County Public Health

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR PHIL STEGMAN
SERVICE DIRECTOR
VILLAGE OF ST BERNARD
110 WASHINGTON AVE
ST BERNARD, OH 45217

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Heidi Culberton ☐ Agent ☐ Addressee

B. Received by (*Printed Name*) Heidi Culberton
C. Date of Delivery 2 2

D. Is delivery address different from Item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

FEB 02 2012 ST BERNARD CINCINNATI, OH USPS

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (*Extra Fee*) ☐ Yes

2. Article Number (*Transfer from service label*) 7006 2760 0003 0781 1585

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7006 2760 0003 0781 1585

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

2/1/2012
Postmark Here

Sent To
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

MR PHIL STEGMAN
SERVICE DIRECTOR
VILLAGE OF ST BERNARD
110 WASHINGTON AVE
ST BERNARD, OH 45217

PS Form 3800, August 2006 ...ctions