



Environmental
Protection Agency

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

March 6, 2012

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

CERTIFIED

RE: Notice of Violation
Failure to conduct and submit monthly explosive gas monitoring
Village of St. Bernard Landfill, Hamilton County

Dear Mr. Stegman:

The purpose of this correspondence is to inform you of your regulatory obligations set forth in the December 6, 2011 Director's approved Explosive Gas Monitoring Plan (EGMP) for the Village of St. Bernard landfill and the Ohio Administrative Code Rule 3745-27-12 effective 2008. The December 6, 2011, approved EGMP was submitted pursuant to Order 21 the consensually signed Directors Final Findings and Orders dated September 16, 2009.

1. In the December 6, 2011 approved EGMP, section 2.0 "Explosive Gas Monitoring, Sampling and Reporting", part 2.1 "Monitoring", page 25, the document states, in part the following:

"Monitoring of all compliance probes and extractions wells will be conducted in accordance with the following minimum frequencies:

- Monthly..."

Additionally in section 2.0 "Explosive Gas Monitoring, Sampling and Reporting", part 2.1.2 "Monitoring Parameters", page 26, the document states, in part the following:

"Each compliance probe will be monitored for the following parameters,...

- Water level..."

The Village of St. Bernard failed to submit water levels for all compliance probes for the January 2012 monthly explosive gas monitoring event. Compliance probes MP-8, 8A, 8B, and 8C did have water level data, however the remainder 14 compliance probes did not have this data provided. Therefore, the Village of St. Bernard is in **violation** of the December 6, 2011, approved EGMP for failure to submit water levels in all compliance probes.

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This is also a **violation** of Ohio Administrative Code Rule 3745-27-12(E)(2) which states in part:

“The following parameters shall be monitored at all permanent monitor locations and punch bar stations, as noted,...

(c) Water level in the permanent monitor...”

2. Also, to date the Village of St. Bernard has failed to submit the monthly explosive gas monitoring results for the January 2012 sampling event. In the December 6, 2011 approved EGMP, section 2.0 “Explosive Gas Monitoring, Sampling and Reporting”, part 2.1.6 “Data Reporting”, page 32, the document states, in part the following:

“Data collected during system monitoring shall be compiled and reported to the Ohio EPA no later than 15 days following the date of sampling...”

Therefore the Village of St. Bernard is in **violation** of the December 6, 2011, approved EGMP for failure to submit the monthly explosive gas monitoring results for the January 2012 sampling event within fifteen days following the date of sampling the compliance probes.

This is also a **violation** of Ohio Administrative Code Rule 3745-27-12(E)(4) which states for in part the following:

“The results shall be submitted within fifteen days of the date of sampling...”

It is imperative that these explosive gas monitoring probes (compliance probes) are monitored appropriately and the results of that monitoring submitted promptly to Ohio EPA to protect the health and safety of the residents which live in the vicinity of the landfill. As stated by the Ohio Department of Health, methane continues to pose a potential physical hazard to the residents living adjacent to the landfill.

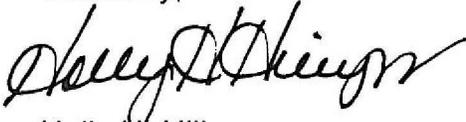
Ohio EPA has received the village’s response to the NOV as well as a remedy to prevent future occurrences.

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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Holly H. Hillyer". The signature is fluid and cursive, with the first name being the most prominent.

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

HH/rb

cc: Tim Ingram, Health Commissioner, Hamilton County Public Health
Chuck DeJonckheere, Director, Hamilton County Public Health

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**MR PHIL STEGMAN
 SERVICE DIRECTOR
 VILLAGE OF ST BERNARD
 110 WASHINGTON AVEUNUE
 ST BERNARD, OHIO 45217**

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 SERVICE DIRECTOR
 VILLAGE OF ST BERNARD
 110 WASHINGTON AVEUNUE
 ST BERNARD, OHIO 45217**

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