



**Environmental  
Protection Agency**

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

May 18, 2012

**RE: HOLMES COUNTY LANDFILL  
GROUND WATER  
NOTICE OF VIOLATION**

**CERTIFIED MAIL 7010 3090 0000 3936 2926**

Joe Miller, Chairman  
Holmes County Board of Commissioners  
2 Court Street, Suite 14  
Millersburg, OH 44654

Dear Mr. Miller:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the following document:

**Response to August 18, 2011, Notice of Violation for Ground Water Detection Monitoring Report and Addendum:**

- **Ground Water Detection Monitoring Report December 2010 Semiannual Event, dated March 8, 2011**
- **Addendum to December 2010 Ground Water Detection Monitoring Report Semiannual Event, dated March 31, 2011  
Holmes County SLF  
Dated January 3, 2012**

On behalf of Holmes County SLF, North Point Engineering (NPE) and KU Resources (KU) prepared and submitted to the Ohio EPA the above referenced document. The Response to the NOV letter was received by Ohio EPA, Northeast District Office (NEDO) on January 4, 2012. Holmes County SLF is operating under the 2003 Revision to Ohio Administrative Code (OAC) Rule 3745-27-10, and at the time of this sampling event, in accordance with OAC Rule 3745-27-10(D) and (E), Detection and Assessment Monitoring Program.

Ohio EPA has the following comments regarding the response. Note that violation 1 has not yet been resolved.

1. ***Holmes SLF remains in violation of OAC 3745-27-10(E)(1) requiring a Ground Water Quality Assessment Monitoring Program for UZ-1, UZ-12, LZ-2 and LZ-3R. The owner or operator has failed to comply with the following requirements regarding ground water quality assessment monitoring. Unless the director***

***approves the report submitted in accordance with paragraph (D)(7)(c) of this rule, the owner or operator shall implement a ground water quality assessment plan capable of determining the concentration, rate, and extent of migration of waste-derived constituent(s) in the ground water upon determining a statistically significant increase over background in accordance with paragraph (D)(7) of this rule. The owner or operator shall implement and comply with the Ground Water Quality Assessment Plan and the requirements of this rule.***

*Detection monitoring wells UZ-1, LZ-3R, and LZ-2 entered assessment monitoring activities on July 13, 2010. They were joined in assessment monitoring activities by detection monitoring well UZ-12 on January 7, 2011. To date, Holmes County SLF has neither submitted a ground water quality assessment plan, nor conducted any of the assessment ground water monitoring activities at these wells as required by this rule.*

*To return to compliance with this rule, the owner/operator needs to immediately submit a Ground Water Quality Assessment Plan and initiate the required assessment sampling protocols, beginning with the Appendix I and II sampling at all four of these assessment wells, plus the appropriate background wells.*

**Response by Holmes SLF:**

Acknowledged, however, current circumstances do not require an assessment plan. The SSIs at each well no longer exist based on submittals to Ohio EPA: The ASD for UZ-1 and LZ-3R was approved. The concentrations of sodium and potassium were lower than a previously approved ASD dated January 22, 2009, and LZ-2 was successfully redeveloped in May 2011, and concentrations are now lower at LZ-2 therefore no SSI exists at LZ-2.

**Current Response by Ohio EPA:**

*Holmes SLF remains in violation of OAC 3745-27-10(E)(1) requiring a ground water quality assessment monitoring program for monitoring well UZ-12.*

*The owner or operator submitted ASDs for wells UZ-1, LZ-2 and LZ-3R, which were approved by the director on September 6, 2011 and November 29, 2011 respectively, returning Holmes County SLF to compliance for this NOV for the three wells.*

*For detection monitoring well UZ-12, the approved ASD on January 22, 2009 is not adequate to address the current SSI. Unless the Director approves the*

*report submitted in accordance with paragraph (D)(7)(c) of this rule for UZ-12, the owner or operator shall implement a ground water quality assessment plan capable of determining the concentration, rate, and extent of migration of waste-derived constituent(s) in the ground water upon determining a statistically significant increase over background in accordance with paragraph (D)(7) of this rule. The owner or operator shall implement and comply with the Ground Water Quality Assessment Plan and the requirements of this rule.*

*To return to compliance with this rule, the owner/operator needs to immediately submit a Ground Water Quality Assessment Plan and initiate the required assessment sampling protocols, beginning with the Appendix I and II sampling at assessment well UZ-12, plus the appropriate background well.*

- 2. Holmes SLF is in violation of OAC Rules 3745-27-10 (C)(1) and 3745-27-10(C)(1)(a) which requires the ground water monitoring program to 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; and requires the owner/operator to document these consistent sampling and analysis procedures in a plan and to follow it.***

*The ground water sample from monitoring well LZ-2 was not representative of ground water quality for the lower zone because the complete sample was obtained on March 7, 2011 without purging.*

*To return to compliance with these rules, the owner/operator needs to revise their plan to more clearly and appropriately specify how low yield wells will be purged and sampled. The owner/operator is advised to strictly adhere to Chapter 10 of the Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring; and the owner/operator needs to implement and follow their revised plan during the next semiannual sampling event at Holmes SLF.*

**Response by Holmes SLF:**

LZ-2 was successfully redeveloped in May 2011, and the well now produces sufficient water to permit sampling within 24 hours as described in the June 2011 monitoring report.

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**Current Response by Ohio EPA:**

*Since LZ-2 was successfully redeveloped and now produces sufficient water, the plan is no longer in need of revision for low yield wells with regard to well LZ-2.*

Please submit a response to this letter by June 18, 2012.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the Entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions, contact me at (330) 963-1257.

Sincerely,



Katharina Snyder  
Division of Materials and Waste Management

KS:cl

cc: Katherine Springer Amey, DDAGW-NEDO  
Jon Croup, Holmes County Health Department  
File: [Sowers/LAND/HOLMES/GRO/38]  
DMWM #3807, 3895