



Environmental
Protection Agency

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

May 3, 2012

CERTIFIED MAIL

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

**RE: Notice of Violation
Explosive Gas Extraction Vent Stack Testing
Village of St. Bernard Landfill, Hamilton County, Ohio**

Dear Mr. Stegman:

On June 10, 2010, Ohio Environmental Protection Agency (Ohio EPA) received a document titled "Bank Avenue Landfill, Response to OEPA Remedial Action Plan Comments, Ohio, CEC Project No. 100-194" dated June 9, 2010, with final revision received June 14, 2010. This document was submitted pursuant to Order 13 of the September 16, 2009, Director's Final Findings and Orders (DFFOs) consensually entered into with the village of St. Bernard (Village) to abate or minimize the formation and migration of explosive gas at the St. Bernard Landfill located east of Interstate 75 and south of Bank Avenue in St. Bernard, Hamilton County, Ohio.

On September 9, 2010, the Director of Ohio EPA approved the remediation plan (Plan). The Plan was approved with the following condition, which states in pertinent part:

1. The City is required to perform air discharge sampling of the gas extraction venting stack This sampling is to be performed monthly ... and submitted to Ohio EPA, Division of Solid and Infectious Waste Management, Southwest District Office and Hamilton County Department of Environmental Services within fifteen (15) days from the date of each monthly sampling event.

The Village submitted the results from the vent stack testing, per this condition, from April 2011 until December 2011. However, the Village has not submitted any additional stack testing to the Hamilton County Department of Environmental Services or Ohio EPA since December 2011. Therefore, the Village is in **violation** of Condition 1 of the September 9, 2010, approved remediation plan.

Please respond in writing within fourteen (14) days of receipt of this correspondence to Ohio EPA, DMWM, SWDO, with a timeline indicating when the Village will again implement the vent stack testing as well as how this violation will be prevented from occurring in the future.

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

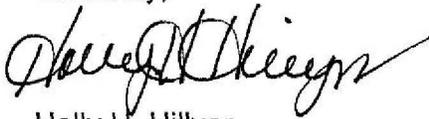
937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

Mr. Phil Stegman
Village of St. Bernard
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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.

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

HH/tf

ec: Tim Ingram, Health Commissioner, HCPH

cc: Kathy Jackson, Ohio EPA

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Street, Apt. No., or PO Box No.	Service Director Village of St. Bernard 110 Washington Avenue
City, State, ZIP+4	St. Bernard, Ohio 45217

PS Form 3800, August 2006 See Reverse for Instructions

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Article Addressed to:

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

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 Heidi Culbertson Agent Addressee

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 Heidi Culbertson 5-8

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