



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

November 13, 2012

**RE: GOODYEAR RIVERWALK  
SEIBERLING STREET LANDFILL  
SEIBERLING WAY  
NOTICE OF VIOLATION**

Debra Harrell  
IRG RC 10 LLC  
P.O. Box 910  
Hartville, Ohio 44632

**CERTIFIED MAIL 7012 1010 0002 2260 2554**

James Hewitt, Engineering Bureau Manager  
Akron Engineering Bureau  
166 South High Street, Room 701  
Akron, Ohio 44308-1652

**CERTIFIED MAIL 7012 1010 0002 2260 2561**

Dear Ms. Harrell and Mr. Hewitt:

This letter provides a notice of violations and comments as identified during a recent inspection conducted by the Ohio Environmental Protection Agency (Ohio EPA). On November 7, 2012, Ohio EPA inspected the Seiberling Way road construction at Seiberling Street Landfill. The inspection included the roadway excavation through waste, waste mound, and storm water controls. The construction project has been authorized by Ohio EPA through a Director's Authorization and Exemption Order approved November 2011, pursuant to Ohio Administrative Code (OAC) 3745-27-13 (November 2011 Rule 13).

The Seiberling Street Landfill is located generally between Seiberling Street and Massillon Road, in the City of Akron, Summit County, Ohio. The landfill is a formerly licensed and closed 167 acre captive solid waste landfill. The landfill has two primary owners, Industrial Realty Group (IRG) and Goodyear Tire and Rubber Company, with the City of Akron owning the easement parcel to be utilized for the construction of the Seiberling Way east/west road.

The November 2011 Rule 13 authorization includes construction activities for the new roadway and related structures, including excavation and relocation of waste, installation of a BAT cap system, a passive gas control system, surface water controls, sewer improvements, an above waste utility corridor, abandonment of an existing water well and a portion of an existing storm sewer. Present were Kelly Erwin, Hull & Associates; and Philip Rhodes, Allison Giancola and Dave Dysle, Ohio EPA. Below are the violations identified during the November 7, 2012 inspection.

### **November 7, 2012 inspection**

1. **Outside 2011 Rule 13 area-Roundabout:** The proposed roundabout is outside the November 2011 Rule 13 limits and outside the approximate waste disposal limits of the Seiberling Street Landfill but within 300 feet of the known limits of waste placement.

On the west side of the landfill where the proposed roundabout will be constructed, piles of grey discolored soil (possibly fly ash) commingled with waste were identified. Soil and brush were graded to the east side of the roundabout area and these identified waste piles were commingled in this general area. (See attached photos). The City is in violation of OAC Rule 3745-27-13(A) for not obtaining authorization from the director for construction activities on a waste disposal area once waste was encountered.

Also, the waste pile north of the sedimentation pond was still present. This waste pile was noted at item 1.a. in Ohio EPA's letter dated November 5, 2012. Again, the City is in violation of OAC Rule 3745-27-13(A) for not obtaining authorization from the director for construction activities on a waste disposal area once waste was encountered.

The City may choose to sample the piles to determine if the material is fly ash, or if it is waste related to the landfill. If the material is not related to the landfill and the waste is deemed open dumping, then the City must apply cover to the waste piles until the waste is properly containerized before removing for disposal in accordance with OAC 3745-27-19(F), 3745-27-13(E)(10). Before removal and disposal of the waste, the City must comply with OAC 3745-27-13(H)(4) regarding characterization of the waste and letter of acceptance from the disposal facility.

If the City determines that the waste is related to the landfill, then the City must apply cover and properly dispose of the waste as mentioned above. Further, the City needs to obtain a Rule 13 authorization pursuant to OAC 3745-27-13(D)(1) and OAC 3745-27-13(E). As mentioned in the October 17, 2012 NOV letter, if the City proceeds without a Rule 13 authorization, and encounters more waste, the City must stop work immediately until the appropriate Rule 13 authorization is submitted and approved.

2. **Within the November 2011 Rule 13 Area:**

- a. **Detention Area 1 (east side pond):** Detention area 1, near Haley's Ditch, has been removed. The holding basin below detention area 1 has also been removed. The west side of the Haley's Ditch has a steel sheet pile wall that was installed to keep the liquid from entering Haley's Ditch. Most of the water had been removed from the holding basin. This area has installed steel pilings that will support the bridge. Accumulated sediments, from previous runoff from the project, could be seen on the bottom of the stream. See attached photo.

The City is in violation of **ORC Chapter 6111 and OAC 3745-27-13(H)(5)** for allowing sediment contaminated water to discharge from Detention Area 1 to Haley's Ditch. To achieve compliance, the City must comply with all corrective measures detailed in the November 5, 2012 letter from Phil Rhodes, Ohio EPA, NEDO-DSW.

- b. **Low spot northeast of Detention Pond 3 (west pond):** The low spot on the service road (below Detention Pond 3) and Detention Pond 3 have been pumped and Mr. Kinney said that the pumped liquid is contained in the portable containers on site. Detention Pond 3 and the low spot have been excavated in order to prepare for further road construction. Exposed waste was in the excavated area, but construction was in progress. The City is reminded that daily cover must be applied to exposed waste pursuant to condition 23 of the November 2011 Rule 13 authorization.
- c. **Waste Relocation Mound:** The top of the waste mound was not covered with a minimum six-inch-thick layer of soil. There was also a pile of exposed waste located on the east slope of the mound. The side slopes were mostly covered with soil. Excavation activities were in progress. Daily cover must be applied to all exposed waste and the City is to keep areas of exposed waste to the smallest practical area pursuant to condition 23 of the November 2011 Rule 13.
- d. **West side conveyance pipe:** This is the pipe entrance for directing storm water to Detention Pond 3. The conveyance pipe was dismantled. The City needs to address this immediately by reinstalling appropriate storm water controls pursuant to OAC 3745-27-13(H)(5) and condition 22 of the November 2011 Rule 13.

#### **General violations of the November 2011 Rule 13 for Seiberling Way**

1. From the November 7<sup>th</sup> site visit, storm water controls were disconnected and/or not constructed. There appeared to be minimal storm water management within the Rule 13 area. Failure to comply with the SWP3 requirements is a violation of condition 22 of the November 2011 Rule 13 for not complying with the SWP3. To comply with the November 2011 Rule 13, the City needs to promptly correct the storm water structures so that they are constructed in compliance with the approved SWP3 and properly discharge storm water to waters of the state. In addition, to achieve compliance, the City must comply with all corrective actions as indicated in Phil Rhodes (Ohio EPA, NEDO-DSW) November 1, 2012 and the two November 5, 2012 letters.

#### **Comment**

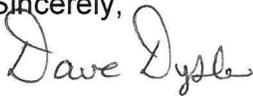
The City is reminded to submit to Ohio EPA-NEDO information pertaining to the unidentified manhole-like structures found during excavation. Attached is a copy of a letter dated November 14, 1983, with two attached figures indicating wells at the site that may be useful historical information.

Debra Harrell, IRG RC 10 LLC  
James Hewitt, Akron Engineering Bureau  
November 13, 2012  
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Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release the City of Akron, IRG RC 10 LLC, or others from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Please provide a written response within fourteen days of receipt of this letter. If you have any questions regarding this letter, please contact Dave at (330) 963-1286 or Allison at (330) 963-1132.

Sincerely,



Dave Dysle  
Environmental Specialist  
Division of Materials and  
Waste Management



Allison Giancola, E.I.T., S.I.T.  
Environmental Engineer  
Division of Materials and  
Waste Management

DD/AG/cl

Attachments: 4 Pictures and November 14, 1983 letter with attached figures

ec: Marty Cooper, Legal, CO  
Scott Hester, DMWM, CO  
Kelly Jeter, DMWM, CO  
Phil Rhodes, DSW, NEDO

cc: Julie Brown, Summit County Public Health  
Mike Wytrzyaszczewski, Engineering Project Coordinator, City of Akron  
Fred Fassnacht, City of Akron  
Shawn McGee, Hull & Associates, Inc.  
Mike Stepic, URS Corporation  
File: [Sowers/COUN/Goodyear Riverwalk/COR/77]



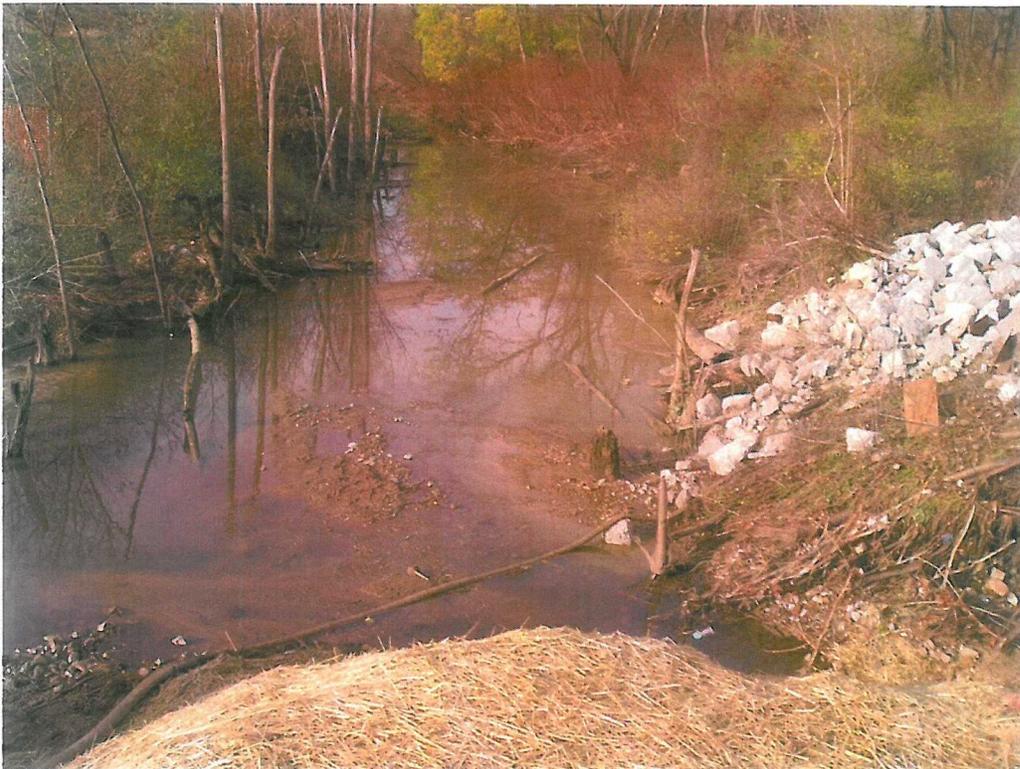
Waste found west of landfill in roundabout area DD November 7, 2012



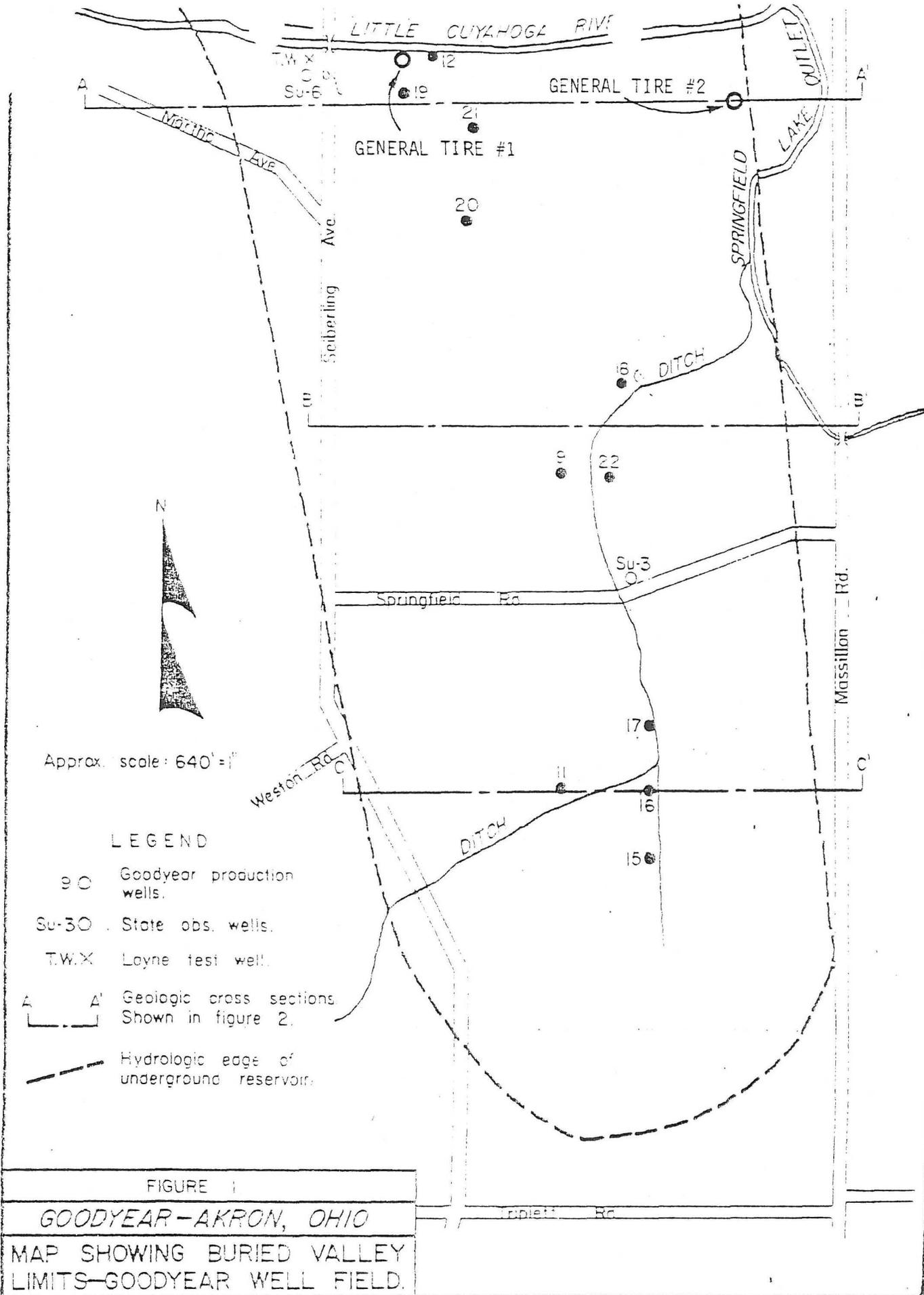
Waste found west of landfill in roundabout area DD November 7, 2012



Waste found west of landfill in roundabout area DD November 7, 2012



Sediments in Haley's Ditch looking north DD November 7, 2012



Approx. scale: 640' = 1"

LEGEND

- Goodyear production wells.
- Su-30 State obs. wells.
- T.W.X Layne test well.
- A A' Geologic cross sections. Shown in figure 2.
- Hydrologic edge of underground reservoir.

FIGURE 1

GOODYEAR-AKRON, OHIO  
 MAP SHOWING BURIED VALLEY  
 LIMITS-GOODYEAR WELL FIELD.

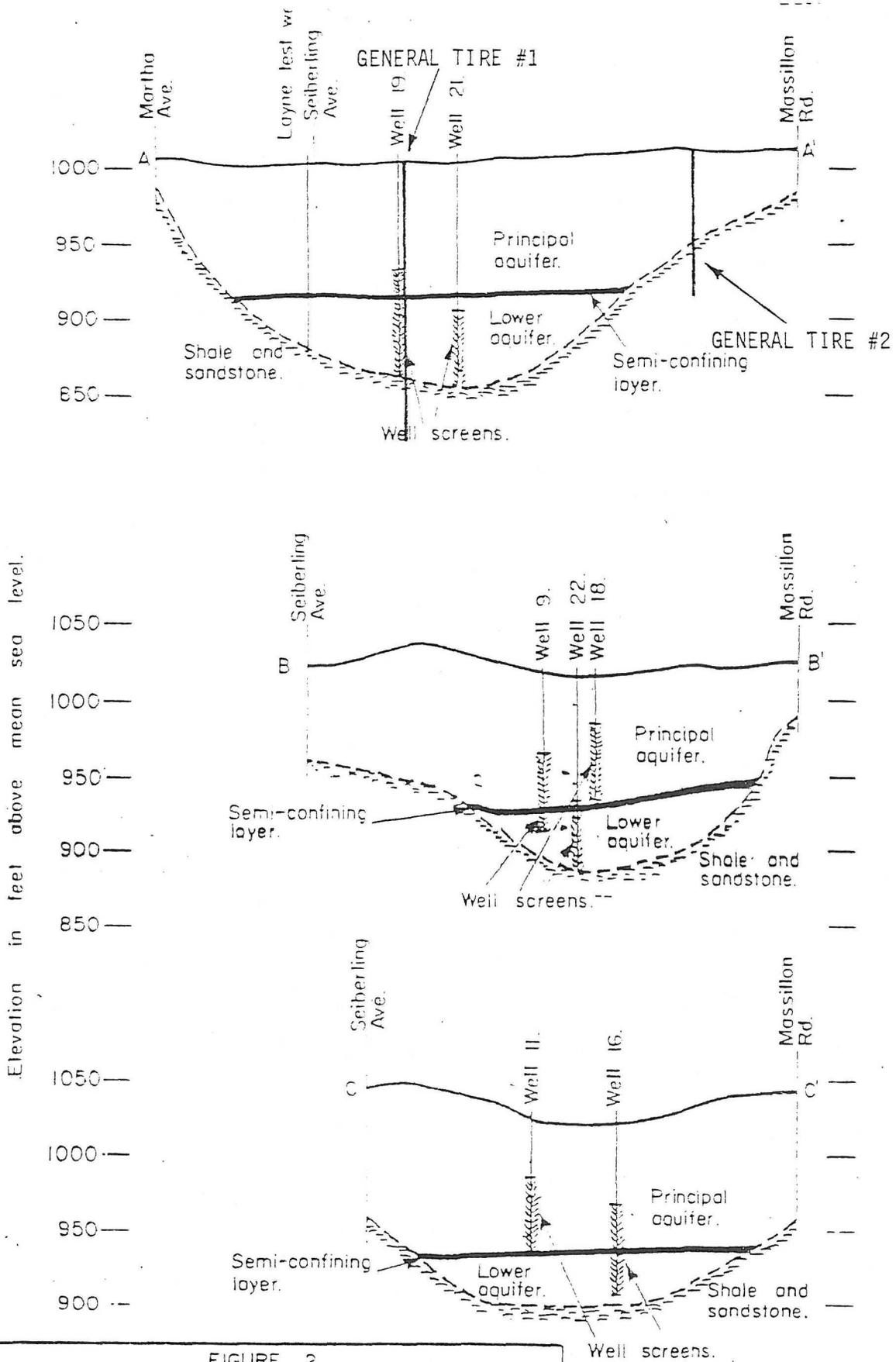


FIGURE 2.

GOODYEAR-AKRON, OHIO

SCHEMATIC GEOLOGIC CROSS-SECTIONS  
GOODYEAR WELL FIELD.

# The Goodyear Tire & Rubber Company

Akron, Ohio 44316-0001

November 14, 1983

Ohio Environmental Protection Agency  
Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087

cc: E J Burkett  
F C Betzhold  
K J Frech  
R F Allen

Attention: Jack Bergen  
Environmental Scientist

Re: The Goodyear Tire & Rubber Company - Akron

Sub: Gas Wells #1 & #2, General Tire Area  
Aquifer Protection

Dear Mr Bergen



Enclosed is a copy of the consultant's report for the "Setting depth of conductor pipe to protect the fresh water aquifer at the General Tire #1 and #2 Wells," dated October 14, 1983.

Figure 1 shows the location of the two wells with respect to the aquifer and the Little Cuyahoga River.

In summary, the conductor and surface casing programs for both wells are as follows:

	<u>General Tire #1</u>	<u>General Tire #2</u>
13-3/8" conductor (cemented to surface)	approx 190 ft	105 ft
8-5/8" surface (cemented to surface)	approx 380 ft	390 ft

Please advise should there be any questions concerning the information provided on these two wells to protect the aquifer.

Very truly yours

reviewed by *SMB*

E J Burkett  
jlc

*J M Smerglia*  
J M Smerglia, Section Head  
Environmental Engineering



**STRAZI & ASSOCIATES**  
GEOLOGICAL & ENGINEERING CONSULTING

12053 GATEWAY DR.  
CANAL FULTON, OHIO 44614  
.216-854-4339

October 14, 1983



COMPANY: Goodyear Tire & Rubber Co.

SUBJECT: Setting depth of conductor pipe to protect the fresh water aquifer at the General Tire #1 & #2 wells.

DISCUSSION:

The Goodyear Tire & Rubber Company's water well field is contained in a glacial debris filled tributary valley of the ancestral Little Cuyahoga River, according to a report by the Lane Ohio Co. Since this is an important source of water used in processing operations, it is necessary to protect the aquifer as much as possible. Drilling of an oil & gas well could cause adverse conditions in the aquifer if no preventative measures are utilized. The recommended procedure would be to set conductor pipe through the aquifer and cement it to protect this fresh water source during further drilling activities.

DEPTH TO BEDROCK

WELL #1

This well is located in the deepest section of the old river valley with several of the water wells nearby that tap nearly the full depth of the aquifer. A log of well # 19 showed the drilling stopped at 140 feet which was still in coarse gravel and sand. It is believed this well was drilled just short of the Bedrock which is estimated to be 147 feet at the drill site. The conductor pipe should be set approximately 40 feet into the Bedrock, which will most likely be Shale, and circulate cement back to surface. The total length of pipe needed would be 187 feet plus or minus. A cement basket should be installed on the pipe approximately 50 feet below ground level to prevent the cement from slipping downhole due to the fluid loss inherent in an aquifer such as this one, some slipping may occur anyway,

but additional cement may be added to the annulus at the surface to maintain a good seal.

#### DEPTH TO BEDROCK

#### WELL #2

The #2 well is located such that it will penetrate the aquifer on the Eastern slope of the original valley. There are no Goodyear water wells located close by to give good control for the depth to Bedrock. The upper cross-section shown in Figure 2 was taken from the report prepared by Lane Ohio. This cross-section would suggest a drilling depth of 62 feet is needed to penetrate the Bedrock, and a total of 102 feet of conductor pipe is recommended to be cemented to protect the aquifer. A cement basket may not be needed at this location, but one may be installed at a depth of about 40 feet.

Since this well is being drilled into the ancient hill slope, any lateral miscalculation may throw the estimated depths off. It is recommended that sufficient pipe be on location, and this well be drilled first; if possible, then any extra pipe not used could be moved to the #1 well site and utilized there.

#### ADDITIONAL COMMENTS:

Drilling from surface down through the aquifer should proceed rapidly through the unconsolidated sediments except for the problem of hole stabilization. A fluid drilling medium is probably best suited for this situation. Once the Bedrock is reached a good drilling break should be seen; along with drill cuttings of Shale or consolidated Sandstone.

#### SUMMARY:

The General Tire # 1 well should reach Bedrock at 147 feet and have 187 feet of conductor pipe set and cemented. The #2 well should be drilled first and should reach Bedrock at 62 feet with 102 feet of conductor being set as above.

Respectfully submitted,



Lynn Strazi  
Petroleum Geologist