



**Environmental  
Protection Agency**

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

March 29, 2011

Mr. Kenneth Humphrey  
Environmental Director  
Envirosafe Services of Ohio, Inc.  
876 Otter Creek Road  
Oregon, Ohio 43616-1200

**Subject: ESOI's Wynn Road Landfarm 2010 Annual Ground Water Report  
Notice of Violation, Return to Compliance and Comments  
OHD 000 721 415 / 03-48-0092  
Lucas County**

Dear Mr. Humphrey:

On March 1, 2011, Ohio EPA received from Envirosafe Services of Ohio, Inc. (ESOI) the ground water monitoring program annual report for the Wynn Road facility. The Division of Hazardous Waste Management (DHWM) requested that the Division of Drinking and Ground Waters (DDAGW) perform a review of this submittal for compliance with Ohio Administrative Code (OAC) Rule 3745-54-98. Ohio EPA's comments are below.

1. Dissolved barium was detected in shallow upper glacial till zone well B3A during the September 2010 semiannual sampling event at a concentration of 57.2 ug/l which exceeds its prediction limit (equivalent to its practical quantitation limit) of 20 ug/l. Resampling was performed in November 2010 which confirmed the initial exceedance but no notification was sent to the Agency to comply with OAC Rule 3745-54-98(G)(1).

NOV Citation	Rule/Permit Condition Citation
1	OAC Rule 3745-54-98(G)(1): ESOI (owner/operator) is in violation of OAC Rule 3745-54-98(G)(1) requiring the owner/operator to notify the Director of Ohio EPA within seven days of confirming a statistically significant increase in contamination.

ESOI is reminded that they must demonstrate compliance with all applicable post-closure monitoring rules and their October 13, 2009, Post-Closure Plan. Because this paperwork violation is historical in nature no actions are necessary to abate this violation. **Therefore, this violation is abated.**

**More Information Needed to Determine Compliance**

2. Compliance with OAC Rule 3745-54-98(F)(2), requiring the owner/operator to determine whether statistically significant evidence of contamination exists in the shallow upper glacial till zone, cannot be determined at this time. ESOI needs to provide an explanation to resolve the following issues:

- a. Why the total barium ground water sample from well B7 and the dissolved barium ground water sample from wells B7 and B8 were qualified with a 'B' (value between the method detection limit (MDL) and the reporting limit) during the March 2010 event. Total and dissolved barium were detected above their corresponding practical quantitation limit (PQL) and prediction limit of 20 ug/l. The method detection limit (MDL) for total and dissolved barium as noted on the raw TestAmerica lab data sheets is 0.46 and 0.67 ug/l, respectively.

Using the USEPA Inorganic Functional Guidelines and Attachment E of the Annual Report as a reference, no data validation qualification could be attributed to the barium results at either well to render them unusable or unrepresentative. Therefore, it is also unclear why ESOI did not resample the above wells for total and dissolved barium.

- b. Why total barium ground water samples from wells B3A, B4A, B5A, and B8, and dissolved barium results from wells B3A and B8 were qualified with a 'B' during the September 2010 event. Similarly, as described above, total and dissolved barium were detected above both the corresponding PQL and MDL. It is not clear why ESOI did not resample the above wells, with the exception of well B3A, for total and dissolved barium.

ESOI is reminded that if ground water analytical results exceed an established background concentration and the data is deemed representative of actual aquifer conditions even after qualification via proper data validation, then re-sampling should immediately occur upon receipt of the data from the laboratory (Section 4.4.2 of ESOI's October 13, 2009, Post-Closure Plan).

3. Compliance with OAC Rule 3745-54-98(G)(4), requiring the owner/operator to submit an application to the Director for a permit modification to establish a compliance monitoring program within 90 days of a confirmed statistical exceedance cannot be determined at this time. ESOI needs to (a) explicitly state whether the discussion in Section 8.2 of their March 1, 2011, Ground Water Monitoring Program 2010 Annual Report Supplement (Annual Report) constitutes an alternate source demonstration (ASD) in accordance with OAC Rule 3745-54-98(G)(6) and (b) provide the date they received the November 2010 (confirmation sampling) laboratory analytical results from both Pace Analytical and TestAmerica.

If ESOI intended Section 8.2 of the Annual Report to comprise an ASD, then ESOI may be in violation of OAC Rule 3745-54-98(G)(6) for not submitting it within 90 days of the statistical confirmation. ESOI is reminded that an ASD may be submitted in lieu of submitting an application to establish a compliance monitoring program in accordance with the above rule. If the Ohio EPA deems an ASD as insufficient to demonstrate that the landfarm is not the source of increased barium in the shallow upper glacial till zone, then a permit application to establish compliance monitoring will be required in

accordance with OAC Rule 3745-54-98(G)(4) and Section 4.4.2 of their October 13, 2009, Post-Closure Plan. The timeframe for submittal of an ASD and a permit to establish compliance monitoring run concurrently (within 90 days of the verified statistical exceedance) as noted in OAC Rule 3745-54-98(G)(6). Therefore, development and submittal should be on a parallel track.

If ESOI intended Section 8.2 of the Annual Report to comprise an ASD, then ESOI should have explicitly identified it as such complete with appropriate OAC Rule citations. If changes to the detection monitoring plan via updated statistics is intended to satisfy OAC Rule 3745-54-98(H), then this should be clearly stated and should be submitted within 90 days of the verified statistical exceedance.

Assuming ESOI intends to satisfy OAC Rule 3745-54-98(H), it is not clear why ESOI would propose to collect additional 'background' data from downgradient wells B6, B7, and B8 as they currently perform up-to down interwell comparisons to background wells B1A and B2A.

4. Compliance with OAC Rule 3745-54-75, requiring the owner/operator to include the required information in the Supplementary Annual Report for 2010 Final Standards Ground Water Monitoring Information - Form and Instructions, cannot be determined at this time. ESOI needs to provide the appropriate information to Ohio EPA to resolve the items below.
  - a. Neither Attachment E nor the Annual Report compact disk (CD) contains an inorganic data validation report memorandum representing the March 2010 sampling event at the landfarm.
  - b. Neither Attachment D nor the Annual Report CD contains an organic data validation report memorandum representing the March 2010 sampling event at the landfarm.
  - c. Attachment B referenced in Section 2.2 (page 6 of 25) could not be located in the Annual Report.
  - d. Attachment B referenced in Section 3.2 (page 9 of 25) could not be located in the Annual Report.
5. Ohio EPA recommends that ESOI perform quality assurance/quality control (QA/QC) on future annual report submittals to the Agency.

There are a number of typos in the Annual Report (sampling dates, mis-labeled tables, incomplete summaries) which may result in future ambiguities in interpretation of the data.

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6. Ohio EPA recommends that the table of contents include all volumes, attachments, and tables that comprise the Annual Report.

In addition, it appears that all 'A' tables (e.g. Table A-1) noted in the table of contents have been renamed with a 'B' (e.g. Table B-1) within the Annual Report.

7. ESOI should remove the OAC Rule citation 3745-55-02(C) from future annual report submittals as it has been rescinded.
8. Section 1.0 of the Annual Report should be revised to reflect accurate post-closure plan approval dates.

ESOI's original post-closure plan was formally approved on December 20, 2005. An amended October 13, 2009, post-closure plan was formally approved on February 1, 2010.

Please respond to the comments above by June 1, 2010. If you have any questions, please contact me at 419-373-4113.

Sincerely,



Lynn Ackerson  
Environmental Specialist  
Division of Hazardous Waste Management

/cs  
pc: Cindy Lohrbach, DHWM, NWDO  
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**NOTICE:** Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.