



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

October 24, 2012

Robert Fudge
Mayor
Village of Cedarville
P. O. Box 51
Cedarville, Ohio 45314

**RE: Village of Cedarville Closed Landfill,
Notice of Violation**

Dear Mayor Fudge:

Groundwater monitoring data for the June 14, 2012, sampling event for the closed Cedarville Landfill was submitted on October 5, 2012 to Ohio EPA Southwest District Office (SWDO). The following violations and comments are a result of the review:

- 1. The owner/operator of the closed Cedarville Landfill is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10(C)(10).** Monitoring data was not submitted within 75 days after ground water sampling, as required by OAC Rule 3745-27-10(C)(10), which states in part:

Submission of results. All ground water elevation, sample analysis and statistical analysis results generated in accordance with paragraphs (B), (C), (D), (E) and (F) of this rule shall be submitted to Ohio EPA not later than seventy-five days after sampling the well. All ground water data and an accompanying text shall be submitted to Ohio EPA in a form specified by the director or his authorized representative.

Please ensure that future data submittal time frames are met.

In addition, the village of Cedarville remains in violation of the following rule citations:

- 2. The owner/operator of the closed Cedarville Landfill is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10(C)(8).** No statistical analysis of the semi-annual ground water data was submitted as required by OAC Rule 3745-27-10(C)(8) which states:

Determination of a statistically significant increase over background. The owner or operator shall determine whether or not there is a statistically significant increase over background for each parameter or constituent required to be statistically analyzed within the ground water monitoring program. The owner or operator shall make this determination each time he assesses ground water quality. To determine whether a statistically-significant increase or decrease has occurred, the owner or operator shall compare the ground water quality of each parameter or constituent at each downgradient ground water monitoring well to the background value of that parameter or constituent according to the statistical procedures specified in paragraphs (C)(6) and (C)(7) of this rule.

Based on a sample date of June 14, 2012, statistical notification should have been made by August 28, 2012. In order to return to compliance, Cedarville needs to statistically evaluate and report semi-annual detection monitoring data for Appendix I parameters (1-15 and 63-66) in accordance with OAC Rule 3745-27-10(C)(8).

- 3. The owner/operator of the closed Cedarville Landfill is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10(C)(3)(b).** No determination of the direction of ground water flow was made for the uppermost aquifer, as required by OAC Rule 3745-27-10(C)(3)(b), which states:

The owner or operator shall at least semiannually and in conjunction with any major sampling event involving more than half the wells in the system or zone monitored determine, for the uppermost aquifer system and for all significant zones of saturation monitored, the direction of ground water flow each time ground water elevation measurements are performed.

No determination of ground water flow direction was made for the uppermost aquifer for the June 14, 2012 sampling event. To date, no ground water flow maps have ever been submitted for the Cedarville Landfill as required by rule.

In order to return to compliance, Cedarville needs to determine the direction of ground water flow each time ground water elevation measurements are obtained and submit the information with each semiannual report.

- 4. The owner/operator of the closed Cedarville Landfill is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10(C)(3)(d).** Potentiometric surface maps were not submitted as required by OAC Rule 3745-27-10(C)(3)(d) which states:

Potentiometric maps shall be constructed using the collected ground water elevation measurements and shall be included with the sampling data submittal.

Please provide the potentiometric surface maps.

5. **The owner/operator of the closed Cedarville Landfill is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10 (D)(5)(a)(i)(b) and OAC 3745-27-10 (D)(5)(a)(iii).** The Cedarville Landfill has not been sampling Zinc (Appendix I – constituent 15) on a semi-annual basis since at least the December 2008 2nd semi-annual sampling event. Additionally, no Appendix I parameters (including zinc) have been statistically evaluated since groundwater monitoring at the landfill commenced (other than time series graphs).

OAC 3745-27-10(D)(5)(a)(i)(b) and OAC 3745-27-10(D)(5)(a)(iii) requires that for *“monitoring wells screened within the uppermost aquifer system beneath the sanitary landfill facility, the owner or operator shall, during the active life of the facility (including final closure) and the post-closure care period, monitor the wells for... parameters 1 through 66 in appendix I of this rule or the alternate and statistically analyze the results from wells screened in the uppermost aquifer system for the parameters specified in paragraph (D)(5)(a)(i).”*

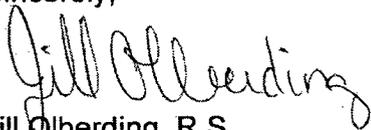
In order to return to compliance, Cedarville must sample and statistically evaluate all wells on a semi-annual basis for Appendix I parameters (1-15 and 63-66) in accordance with the above specified rule.

6. **The owner/operator of the closed Cedarville Landfill is in violation of Ohio Administrative Code (OAC) Rule 3745-27-10 (A)(5).** OAC Rule 3745-27-10 (A)(5) requires that a qualified ground water scientist shall certify, in accordance with Rule 3745-27-09 of the Administrative code, any reports and data, submitted in accordance with the rule.

No certification statement by a qualified ground water scientist appeared in the village of Cedarville’s Semi-Annual Monitoring Well Sample Collection Report (dated October 5, 2012). To return to compliance, Ohio EPA requests that Cedarville consult with a qualified ground water scientist regarding any future data submittal and ensure that an appropriate certification statement appears in all future semi-annual reports.

Cedarville must take appropriate steps to ensure that the violations in this correspondence are corrected and all future groundwater sampling events comply with OAC Rule 3745-27-10. If you would like to have a meeting to discuss the above violations, please contact me or Tracy Buchanan at (937) 285-6357 to schedule a date and time.

Sincerely,



Jill Olberding, R.S.
Division of Materials and Waste Management

cc: John McGinnis, Ohio EPA DDAGW/SWDO
ec: Debbie Leopold, Greene County Combined Health District