



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

Re: Seneca County
Sunny Farms Landfill
Ground Water

April 2, 2013

Mr. Chris Valerian
12386 Township Road 108
Fostoria, Ohio 44830

Dear Mr. Valerian:

The owner/operator of the Sunny Farms Landfill (facility) is currently required to perform ground water detection monitoring activities at the facility. The Corrective Measures Plan (CMP) activities for the MP-2AR and MP-7AR assessment areas were approved February 14, 2011.

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed "*Groundwater Quality Report – Second Semi-Annual 2012 Event*" (report) dated February 25, 2013, which documents the results of the December 17-20, 2012, annual sampling event for the facility. This submittal was reviewed to determine compliance with OAC Rule 3745-27-10.

The facility is presently operating under the correct ground water monitoring phases and the owner or operator should continue to monitor under the current programs.

COMMENTS

Violation

1. **The owner/operator is in violation of the requirements of OAC Rule 3745-27-10(E)(11) regarding notifications to adjacent landowners. To return to compliance with the requirements of OAC Rule 3745-27-10(E)(11), the owner/operator needs to notify the property owners adjacent to the landfill property in accordance with OAC Rule 3745-27-10(E)(11).**

OAC Rule 3745-27-10(E)(11) requires that "*...the owner or operator shall notify by certified mail, or any other form of mail accompanied by a receipt, all persons who own land or reside on the land that directly overlies, or is reasonably expected to overlie, any part of the plume of the contamination...of the rate, extent, and concentration of the waste-derived constituents in the ground water...Annually, the owner or operator shall re-notify persons or notify additional persons based on the results of the determinations of rate, extent, and concentration...*".

During 2008 and 2009, the owner/operator sought permission from adjacent property owners to install off-site monitoring wells to further delineate the extent of potential off-site ground water contamination. These properties are located along the eastern and western boundaries of the landfill property (respectively downgradient of the MP-2AR and MP-7AR assessment areas). However, off-site access for installing these additional monitoring wells was subsequently denied by the property owners.

It has now been several years since the owner/operator received denial to install additional monitoring wells off-site. Given this fact and that these properties are reasonably expected to overlie parts of the plume of the ground water contamination, the requirements of OAC Rule 3745-27-10(E)(11) are not being met. To return to compliance with the requirements of OAC Rule 3745-27-10(E)(11), the owner/operator needs to notify the property owners adjacent to the landfill property in accordance with OAC Rule 3745-27-10(E)(11).

Statements

- 2. For the December 2012 sampling event, the primary evaluation of constituents-of-concern (COCs) indicated that 10 COC results exceeded the applicable ground water remediation standards (GWRS). Such exceedances are expected at this time as the historic buried waste was only recently excavated. As the historic buried waste removal was completed in November 2011, the secondary evaluation of COC's will not be required to be initiated until the first semi-annual sampling event that occurs after November 2013.**

The December 2012, sampling event represents the third semi-annual sampling event following the completion of the removal of the historic buried waste.

The approved Corrective Measures Monitoring Plan (CMMP) states that primary and secondary evaluations of the constituents of concern (COCs) will be performed to evaluate the overall effectiveness of the corrective measure. Information pertinent to these evaluations is noted below.

Primary Evaluation of COC's

The primary evaluation of COC's is to be a comparison of the individual COC results from each sampling event to the GWRS.

For the December 2012, sampling event, a total of 10 COC results exceeded applicable GWRS. These exceedances are summarized in the table below.

Parameter	GWRS (mg/L)	GWRS Exceedance During 12/12 Event (mg/L (and well I.D.))
Arsenic	0.010	0.0139 (MP-4A) 0.0111 (MP-29A) 0.0167 (MP-33A)
Calcium	355	361 (MP-1AR) 385 (MP-25A)
Chloride	250	356 (MP-25A)
Iron	18.5	28.8 (MP-1AR)
Magnesium	183	227 (MP-4A) 233 (MP-25A)
Manganese	1.09	1.42 (MP-1AR)

Such exceedances are expected at this time as the historic buried waste was only recently excavated.

Secondary Evaluation of COC's

The secondary evaluation of COCs is to be a statistical analysis of any COC which exceeds the GWRS. However, this secondary evaluation will not be required until the first sampling event following the two-year anniversary of the removal of historic buried waste (first event after November 2013).

- The owner/operator has until July 15, 2013 to either receive approval of a demonstration according to OAC Rule 3745-27-10(D)(7)(c)(ii) for the statistically significant increase of arsenic at MP-15BR or implement assessment monitoring for MP-15BR.**

During the December 17-20, 2012 annual sampling event, a statistically significant increase was noted and subsequently confirmed for arsenic at MP-15BR.

The submittal states that a demonstration in accordance with OAC 3745-27-10(D)(7)(c)(ii) for this statistically significant increase will be submitted to Ohio EPA under separate cover.

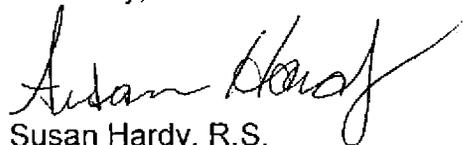
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OAC Rule 3745-27-10(D)(7)(c)(ii) states "...If the owner or operator does not obtain approval to continue detection monitoring within two hundred and ten days from initial sampling, the owner or operator shall comply with the provisions of paragraph (E) of this rule."

Therefore, if the owner/operator either does not seek approval to continue detection monitoring for this statistically significant increase or does not receive approval from the Director to continue detection monitoring at MP-15BR by July 15, 2013 (210 days after December 17, 2012 initiation of sampling event), then the owner/operator will be required to implement a ground water quality assessment monitoring program at MP-15BR by July 15, 2013.

If you have any questions please contact Ken Brock at Ohio EPA, Northwest District Office (419-373-3143). Submit all reports/data to Susan Hardy, Ohio EPA, Northwest District Office, Division Materials and Waste Management, 347 N. Dunbridge Rd., Bowling Green, Ohio 43402.

Sincerely,



Susan Hardy, R.S.
Environmental Specialist
Division of Materials and Waste Management

/llr

pc: Ed Brdicka, Sunny Farms Landfill, LLC
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