



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

April 12, 2013

**RE: SUMMIT C&D DISPOSAL
GROUND WATER MONITORING
NOTICE OF VIOLATION**

John R. Eslich
Summit C&D Disposal, Inc.
3525 Broadway Ave. NE
Louisville, Ohio 44641

CERTIFIED MAIL 7012 1010 0002 2260 2974

Patrick J. Loper II, P.E.
Bowser-Morner Associates, Inc.
4518 Taylorsville Road
P.O. Box 51
Dayton, Ohio 45401-0051

CERTIFIED MAIL 7012 1010 0002 2260 2981

Dear Mr. Eslich and Mr. Loper:

From March 21-22, 2013, Ohio EPA, Division of Drinking and Ground Waters (DDAGW) was present at Summit C & D Disposal, Inc. (Respondent) to oversee the installation of monitoring well MW-14 in the uppermost aquifer system (UAS) as well as the abandonment of existing UAS well MW-6. While on site, Ohio EPA, DDAGW conducted an inspection of the ground water monitoring system. Several issues were noted regarding both the security of the monitoring system as well as the condition of many of the wells.

Considering that Ohio EPA and the Respondent are on the cusp of initiating the *Equilibrium Test Plan (ETP)* to determine how the site will respond to a termination of leachate pumping and a return to a pre-pumping state of equilibrium, and what impacts to the environment and/or public health may occur, it is of utmost importance and urgency that the ground water monitoring system be maintained in a manner that will not jeopardize the ground water quality data collected or the results of the ETP. Failure to properly maintain the ground water monitoring system so that representative ground water samples may be regularly collected could ultimately jeopardize the Ohio EPA and the Respondent's common goal of resolving the *Unilateral Director's Final Findings & Orders* (dated April 11, 2008).

The Summit C & D Disposal, Inc. Landfill ground water monitoring program is regulated by the Construction and Demolition Debris Regulations (OAC 3745-400-10), effective August 31, 2002.

VIOLATIONS

Compliance with OAC Rule 3745-400-11(E)(1), which requires in part that the owner or operator maintain the integrity of the engineered components of the facility and repair any damage to or failure of the components, cannot be determined at this time. According to the rule, "Engineered components" includes...the components of the ground water monitoring system(s) installed in accordance with rule 3745-400-10 of the Administrative Code. During the inspection of the ground water monitoring system, Ohio EPA, DDAGW noted the following maintenance and security issues: Some wells were unlocked, unlabeled, lacked weep holes, partially/completely buried, appeared to have been hit and bent, and some outer protective casing lids could not be closed.

The well specific issues are detailed more completely in the following bullets:

- Once Ohio EPA, DDAGW discovered that several wells were not secured (locked), Jeff Arp of Bowser-Morner was immediately notified in the field of the monitoring well security problem. Jeff Arp immediately conducted a site-wide follow-up inspection of the monitoring system and installed new padlocks where possible to secure the system;
- MW-1R is almost entirely buried by soil and hard fill. It is unknown if the well is damaged or not. The well should be uncovered and evaluated for damage. At a minimum, the well should be resurveyed. If necessary, a new surface seal and protective pipe should be installed. If the damage to the well is such that it appears surface material (soil/fill) may have entered the well, then the well should also be redeveloped;
- MW-2 is not properly labeled and has no weep hole at the bottom of the protective casing to allow water to drain out. Captive water between the well casing and the protective pipe may freeze during cold temperatures and crack the well casing. This well should be properly labeled and a weep hole drilled. To prevent insect intrusion through the weep hole, the space between the well casing and the protective pipe should be filled with coarse sand;
- MW-3 has a surface seal (concrete pad) that is buried. The surface seal should be uncovered and evaluated for damage. The surface seal should be repaired or replaced as appropriate. The well is also not properly labeled and has no weep hole at the bottom of the protective casing to allow water to drain out. Captive water between the well casing and the protective pipe may freeze during cold temperatures and crack the well casing. This well should be properly labeled

and a weep hole drilled. To prevent insect intrusion through the weep hole, the space between the well casing and the protective pipe should be filled with coarse sand;

- MW-4 has a surface seal (concrete pad) that is cracked. The surface seal should be repaired or replaced as appropriate. The well is also not properly labeled and has no weep hole at the bottom of the protective casing to allow water to drain out. Captive water between the well casing and the protective pipe may freeze during cold temperatures and crack the well casing. This well should be properly labeled and a weep hole drilled. To prevent insect intrusion through the weep hole, the space between the well casing and the protective pipe should be filled with coarse sand;
- MW-5 has a protective pipe that is bent and partially buried by soil and hard fill. It is unknown if the well is damaged or not. The well should be uncovered and evaluated for damage. At a minimum, the well should be resurveyed. If necessary, a new surface seal and protective pipe should be installed. If the damage to the well is such that it appears surface material (soil/fill) may have entered the well, then the well should also be redeveloped;
- MW-7s is not labeled and does not have a weep hole at the bottom of the protective pipe to allow water to drain out. Captive water between the well casing and the protective pipe may freeze during cold temperatures and crack the well casing. This well should be properly labeled and a weep hole drilled. To prevent insect intrusion through the weep hole, the space between the well casing and the protective pipe should be filled with coarse sand;
- MW-8 needs a new well pad as the protective pipe is loose and the integrity of the surface seal is compromised. The well also has no weep hole at the bottom of the protective casing to allow water to drain out. Captive water between the well casing and the protective pipe may freeze during cold temperatures and crack the well casing. This well should be properly labeled and a weep hole drilled. To prevent insect intrusion through the weep hole, the space between the well casing and the protective pipe should be filled with coarse sand;
- MW-9 cannot be properly secured because the well pad/surface seal has settled, preventing the lid of the protective pipe from being closed. A new surface seal and protective pipe should be installed and the well resurveyed;
- MW-10, 11, and 13 are not properly labeled and have no weep holes at the bottom of the protective casings to allow water to drain out. Captive water

John R. Eslich, Summit C&D Disposal, Inc.
Patrick J. Loper II, P.E., Bowser-Morner Associates, Inc.
April 12, 2013
Page 4

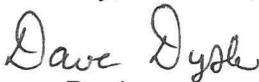
between the well casing and the protective pipe may freeze during cold temperatures and crack the well casing. This well should be properly labeled and a weep hole drilled. To prevent insect intrusion through the weep hole, the space between the well casing and the protective pipe should be filled with coarse sand;

- MW-12 has half the protective pipe and the surface seal buried by soil and hard fill. It is unknown if the well is damaged or not. The well should be uncovered and evaluated for damage. At a minimum, the well should be resurveyed. If necessary, a new surface seal and protective pipe should be installed. If the damage to the well is such that it appears surface material (soil/fill) may have entered the well, then the well should also be redeveloped.

To demonstrate compliance with this rule, the Respondent should immediately conduct the maintenance and repair issues noted above, and submit documentation of the repair work within 30 days of receipt of this letter. For those wells that are required to be resurveyed, the Respondent should submit the updated survey elevation data as an addendum to the *Revised Ground Water Monitoring Plan*, as this information is integral to determinations of ground water flow direction.

If you have any technical questions regarding this review, please contact Mark Kroenke at (330) 963-1225. Please submit all correspondence to Dave Dysle, Ohio EPA, Division of Materials and Waste Management, Northeast District Office, 2110 East Aurora Road, Twinsburg, Ohio 44087.

Sincerely,



Dave Dysle
Environmental Specialist
Division of Materials and Waste Management

DD/cl

cc: Kelly Jeter, DMWM, CO
Allison Giancola, DMWM, NEDO
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File: [Sowers/CONS/Summit C&D Disposal/COR/77]
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