



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



February 20, 2013

Carol M. Smith
Managing Agent for IRG RC LESSOR LLC
Akron Riverwalk
1144 East Market Street, Dept. 115B
Akron, OH 44316

RE: GOODYEAR-SEIBERLING ST. LANDFILL – NORTH, 4th QTR INSPECTION REPORT, NOTICE OF VIOLATION/RETURN TO COMPLIANCE

Dear Ms. Smith:

Ohio Environmental Protection Agency (Ohio EPA) reviewed the fourth quarter 2012 landfill inspection report for the north section of Goodyear-Seiberling Street Landfill which is now owned by Industrial Realty Group (IRG). This letter provides the review results and some general information regarding your landfill post-closure care obligations.

The landfill was used exclusively by the Goodyear Corporation and is considered a captive facility. Goodyear began landfill operations in the 1920s. Waste acceptance at the facility ceased in May 1989 and substantial closure of Goodyear Landfill was completed in November 1989. Thus, the thirty-year post-closure care period will be completed November 2019.

Post-closure care obligations with which you are currently required to comply include quarterly facility inspections and maintenance of the cap system. These requirements are described in Ohio Administrative Code (OAC) 3745-27-14.

Violation

The inspection was conducted on October 17, 2012 and Ohio EPA received the inspection report on January 28, 2013. OAC 3745-27-14(A)(4) requires the report to be submitted to Ohio EPA within 15 days of the inspection. Thus, the report was late by several months. This rule states in part:

“Post-closure care activities for a sanitary landfill facility shall include, but are not limited to the following: . . . Quarterly inspection of a sanitary landfill facility during each year of the post-closure care period and submittal of a written summary to the appropriate Ohio EPA district office not later than fifteen days after the inspection date detailing the results of the inspection and a schedule of any actions to be taken to maintain compliance with paragraphs (A)(1) and (A)(2) of this rule.”

IRG is in violation of OAC 3745-27-14(A)(4) because Ohio EPA did not receive the quarterly inspection report in a timely manner.

Upon receipt of the 4th quarter landfill inspection report on January 28, 2013, IRG returned to compliance with the above rule. To maintain compliance, please submit the quarterly inspection reports on time.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release IRG from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,



Dave Dysle
Environmental Specialist
Division of Materials and Waste Management

DD:ddw

cc: Allison Giancola, DMWM, NEDO
Julie Brown, Summit County Public Health
Debra Harrell, IRG, 360 E. Highland Rd., Macedonia, OH 44056
Karen Burlingame, Brownfield Restoration Group LLC
File: [Sowers/LAND/Goodyear-Seiberling St./COR/77]

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