Ohio EPA
40 years and moving forward

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

June 3, 2013

**RE: GUERNSEY COUNTY**
**FAC-LIBERTY TOWNSHIP**
**LANDFILL-NOV**

Liberty Township Trustees
Attn: Kathy Leach, Fiscal Officer
71149 Old 21 Road
Kimbolton, OH 43749

Dear Ms. Leach:

On May 28, 2013, I conducted an inspection of your township's closed landfill facility to determine your compliance with closure requirements as stipulated in Ohio Administrative Code (OAC) Rule 3745-27. During my inspection, I noted that the facility was mowed to prevent woody vegetation from getting established and that the two leachate seeps at the facility were currently dry.

Following are comments related to the inspection. Our files indicate that the landfill ceased acceptance of waste sometime before December 24, 1988. Landfills which ceased acceptance of solid waste prior to April 1, 1990, are subject to compliance with specific closure requirements of the Ohio Administrative Code (OAC). During my latest inspections, I observed the following violations of OAC Rules 3745-27-10, 3745-27-11, 3745-27-12, 3745-27-15, 3745-27-16, and 3745-27-19.

A. OAC Rule 3745-27-10(A)(1), (A)(2)(c)(iii):

The owner of a sanitary landfill shall implement a groundwater monitoring program capable of determining the impact of the facility on the quality of the ground water occurring within the uppermost aquifer system and all significant zones of saturation above the uppermost aquifer system underlying the Sanitary Landfill facility. In addition, the owner shall submit to the Ohio EPA a "Ground Water Detection Monitoring Plan" in accordance with OAC Rule 3745-27-10, and implement the plan by October 9, 1994.

B. OAC Rule 3745-27-11:

1. **3745-27-11(A)(2)(c)** - The owner or operator of a sanitary landfill that ceased acceptance of waste prior to June 1, 1994, and was required to have begun closure activities in accordance with this Rule effective March 1, 1990, but has not submitted a closure plan and has not begun closure activities by June 1, 1994, shall:

(i). Complete closure activities in accordance with paragraph (F) to (L), of OAC Rule 3745-27-11.
(ii). By December 31, 1994, submit to Ohio EPA the final closure certification in accordance with paragraph (J) of OAC Rule 3745-27-11.
(iii). Comply with paragraph (A)(3)(c) of OAC Rule 3745-27-15 and paragraph (A)(3)(c) of OAC Rule 3745-27-16.
(iv). Comply with paragraph (A)(2) of OAC Rule 3745-27-12.

2. 3745-27-11(G)(4) - The operator has failed to construct a final cap system in accordance with paragraph (G) of OAC Rule 3745-27-11.

   Construction of a final cap system in accordance with the above cited rule that consists of a re-compacted soil barrier layer, a drainage layer, a frost protection layer and a vegetative layer should begin immediately.

3. 3745-27-11(H)(1) – The operator has failed to continue to comply with OAC Rule 3745-27-19 until the closure certification is submitted and the post-closure period begins.

4. 3745-27-11(H)(3) - The operator has failed to install a ground water monitoring system in accordance with OAC Rule 3745-27-10.

5. 3745-27-11(I) - Final closure activities have not been completed within 180 days after final receipt of solid waste as required by this OAC Rule.

C. OAC Rule 3745-27-12:

3745-27-12 - The operator is required to submit an explosive gas monitoring plan by February 1, 1989. You were initially informed of this requirement by letter dated January 12, 1989. To date, this Agency has not received the required plan.

D. OAC Rule 3745-27-15:

3745-27-15(A)(3)(c) - The owner or operator of a Sanitary Landfill facility that ceased acceptance of waste prior to June 1, 1994, shall submit to the Ohio EPA a "Final Closure Financial Assurance Instrument" in accordance with this OAC Rule, and execute and fund the instrument by November 30, 1994.

E. OAC Rule 3745-27-16 is as follows:

3745-27-16(A)(2) - The owner or operator of a Sanitary Landfill that ceased acceptance of waste prior to June 1, 1994, shall submit to the Ohio EPA a "Post closure Care Financial Assurance Instrument" in accordance with this OAC Rule, and execute and fund the instrument by November 30, 1994.

In August 2000, Craig Walkenspaw and Joe Holland met the Trustees at the landfill and witnessed the excavation of 15 test pits to determine what type of cap is in place for the landfill. We have reviewed this information and determined that 13 of the 15 locations contained two feet of soil material over waste. The soil appeared inconsistent in terms of cohesive properties throughout the test pits. In addition, flagging of waste continues to be noted around the perimeter of the landfill footprint.

Should you have any questions regarding this letter, I may be contacted at 740-380-5435.

Sincerely,

Dale W. Warner R.S
Environmental Specialist II
Division of Material and Waste Management

DW/cb