Ohio EPA
40 years and moving forward

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

June 26, 2013

Mr. Edward Walker
City of Xenia
101 North Detroit Street
Xenia, Ohio 45385

RE: Xenia Closed Landfill
Explosive Gas Monitoring and Post-Closure Care Quarterly Reports
Notice of Violation and Return to Compliance

Dear Mr. Walker:

Ohio EPA, Southwest District Office (SWDO) did not receive April or May 2013 explosive gas monitoring data for the city of Xenia (City) Closed Landfill within the timeframe required per the approved city of Xenia Explosive Gas Monitoring Plan (EGMP). By failing to submit this required report, the City is in violation of the following:

1. Currently, the City is in contingency monitoring for explosive gas at the closed city of Xenia landfill and should be conducting weekly monitoring. Per the City's EGMP Part II Section 4.7.2, it is required that every 30 days, a report be submitted to Ohio EPA providing the data collected while the City is conducting contingency monitoring at the closed landfill. The report is to **contain the analysis data and a summary of the contingency monitoring results, a summary of the actions taken to ensure protection of human health and the environment, and an analysis of the effectiveness of the actions taken.** The last monthly landfill gas monitoring report was received by Ohio EPA on April 5, 2013 and contained the sampling data from the monthly monitoring event of March 19, 2013 and the weekly data for up to the April 1, 2013 gas sampling event. Failure to submit the report every 30 days per the approved EGMP is a violation of Ohio Administrative Code (OAC) Rule 3745-27-14(A)(5), which states in part;

   Fulfilling all monitoring and reporting requirements in accordance with rule 3745-27-10 of the Administrative Code for ground water, with rule 3745-27-12 of the Administrative Code for explosive gas, with Chapter 3745-76 of the Administrative Code for landfill emissions, and with any monitoring required by any orders or authorizing documents…

   Following a phone call to the City, the gas report readings for April and May were received June 20, 2013. Please ensure the City submits future reports within the

118

required timeframe and that the reports contain the required information per the City's EGMP approved August 25, 2009.

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 the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please contact me by telephone at (937) 285-6094 or by email at jill.olberding@epa.ohio.gov.

Sincerely,

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

JO/tb

ec: Debbie Leopold, Greene County Combined Health District