



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

Re: Huron County Landfill
2012 Annual Report
Notice of Violation

July 24, 2013

Huron County Commissioners
180 Milan Avenue
Norwalk, Ohio 44857

Dear Commissioners:

The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) received the 2012 Annual Report (Report) on March 29, 2013, for the closed Huron County Landfill (Facility). The Report has been reviewed to determine its compliance with the regulations required by Ohio Administrative Code (OAC) Rule 3745-27. Following are Ohio EPA's comments.

- 1. The annual report estimated that the post-closure care cost requirement for the year of 2012 to be \$133,764. The cost estimate figures have not been updated properly. Based on our estimation, the post closure care cost should be at least \$135,417 for the year 2012. This estimate was based on the original cost estimate which was reported to be \$3,084,000 in the Revised Closure/Post Closure Plan in 1998 and update this figure to the current value by adjusting it properly for inflation.**
- 2. Analytical testing on a grab sample of leachate was performed only for the year 2012. The results for many parameters listed in Appendix I of Rule 3745-27-10 of the OAC were not reported in the 2012 annual report. The owner/operator is violation of OAC Rule 3745-27-14(A)(6)(b), effective October 30, 2008. Please be advised that this data cannot be used in the future to justify any reduction in the groundwater monitoring frequency. Please ensure in any future submittals that all the parameters listed in Appendix I are analyzed and reported as required.**
- 3. Compliance with OAC Rule 3745-27-10(B)(5), which requires in part, the owner/operator to evaluate, at least annually until the end of the post-closure care period, the ground water surface elevation data obtained in accordance with paragraph (C)(3) of this rule to determine whether the requirements of paragraph (B) of this rule for locating the monitoring wells continue to be satisfied, cannot be determined at this time. For Ohio EPA to determine compliance, the owner/operator should submit the results of this evaluation including potentiometric maps for every geologic unit monitored in a report to be submitted not later than twelve months from the previous report submitted to comply with this rule.**

The 2012 Annual Report did not include an evaluation of the ground water potentiometric surface, corresponding potentiometric maps, and a statement that confirms whether or not the current ground water detection monitoring network continues to meet the requirements of OAC Rule 3745-27-10(B).

- 4. Compliance with OAC Rule 3745-27-10(B)(3)(d), which requires in part, the owner/operator document in the operating record the maintenance of any monitoring wells, piezometers, and other measurement, sampling, and analytical devices, cannot be determined at this time. For Ohio EPA to determine compliance, the owner/operator should submit an addendum to the 2012 Annual Report that describes the maintenance that was performed on these devices since submission of the previous Annual Report.**

The owner/ operator needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, the owner/operator is requested to provide documentation to this office including the steps taken to abate the violation cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to tyler.madeker@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, the owner/operator is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please feel free to contact Tyler Madeker at the Ohio EPA Northwest District Office (419) 373-3078. Any written correspondence should be sent to the attention of Tyler Madeker, Division of Materials and Waste Management, Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,



Tyler Madeker, R.S.
Environmental Specialist
Division of Materials and Waste Management

/cg

pc: Steve Williamson, Arcadis
Pete Welch, Huron Co. SWMD
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