



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

September 24, 2009

RE: NOTICE OF VIOLATION  
DAPC FAC. ID: 02-85-00-0270

CERTIFIED MAIL

Mr. Dave Matthews  
Landfill Manager  
Mt. Eaton Landfill  
8544 TR 105  
Navarre, OH 44662

Dear Mr. Matthews:

Thank you for the courtesy that you extended to me on Friday, September 11, 2009, during my facility inspection. The inspection was conducted to determine Mt. Eaton Landfill's (MEL) compliance status with the Title V Permit and Director's Findings and Orders.

The landfill is closed; however, landfill waste was being excavated from the landfill and being re-deposited in another area of the landfill. The landfill gas collection and control system (LFG GCCS) was operational and all monitoring equipment indicated the flare was operating within acceptable parameters. Roadways appeared to be watered adequately and no fugitive dust emissions were noticed. No storage piles were noticed.

During the records review portion of the inspection, wellhead data was reviewed and it was discovered that MEL is not monitoring the oxygen or nitrogen levels at the wellheads, in violation of order 6.c and 6.d of the Director's Final Findings and Orders issued February 8, 2006. Please submit, **within three weeks of receipt of this letter**, any data MEL has collected on oxygen or nitrogen levels at each well. If no data has been collected, please submit a letter that states such.

MEL had submitted Tier 2 sampling results (June 2005), as allowed by 40 CFR, Part 60, Subpart WWW (WWW), that indicated non-methane organic compound (NMOC) emissions were less than 50 Mg per year; thereby, exempting MEL from some of the requirements of WWW. In order to retain the exemption from WWW, tier 2 sampling is required to be performed every 5 years, per 40 CFR 60.754(a)(3)(iii). Should MEL perform Tier 2 sampling again, please submit an Intent to Test Notification to the Northeast District Office of the Ohio EPA, at least 30 days prior to performing the Tier 2 sampling.

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The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

Should you have any questions or concerns, please contact me at (330) 963-1252 or via email [erik.bewley@epa.state.oh.us](mailto:erik.bewley@epa.state.oh.us).

Respectfully,



Erik M. Bewley  
Environmental Specialist  
Division of Air Pollution Control

EMB:bo

pc: Tim Fischer - NEDO, DAPC  
Tom Kalman - CO, DAPC  
Lisa Holscher - USEPA, Region V  
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