



State of Ohio Environmental Protection Agency

Northeast District Office

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

February 22, 2007

RE: NOTICE OF VIOLATION
3RD QUARTER 2006 H₂S
MONITORING REPORT
02 85 000270
CERTIFIED MAIL

Mr. Steve Viny
Norton Environmental Company
6200 Rockside Woods Blvd.
Independence, OH 44131

Dear Mr. Viny:

On October 31, 2006, Ohio EPA received the 3rd Quarter 2006 Report for the hydrogen sulfide (H₂S) monitoring network as required by the February 8, 2006, Director's Final Findings and Orders (DFFOs) that Norton Environmental Company (NEC) signed with Ohio EPA. The DFFOs address H₂S emissions from Mt. Eaton Sanitary Landfill (MESL), which NEC operates. Violations of the DFFOs are outlined in this letter.

VIOLATIONS

During Ohio EPA's review, the following violations of the DFFOs were determined to have occurred:

1. The report is missing data from August 31, 2006, at 6:50 AM through September 3, 2006, at 12:00 AM, and August 23, 2006, from 8:20 AM to 9:00 AM. Order No. 20 requires MESL to install a continuous monitor. Any malfunction or maintenance is to be reported within forty-eight (48) hours of the event occurring pursuant to Order No. 27. Ohio EPA did not receive any notification that the monitoring system was inoperable for the above referenced time period. As such, NEC is in violation of Order No. 20 for not operating the continuous monitor continuously, and Order No. 27 for not submitting a timely deviation report.
2. Pursuant to the conditional approval of the June 7, 2006, Revised Hydrogen Sulfide Monitoring Plan, NEC is obligated to collect data samples on a 5 minute interval, until such time as a demonstration can be made that less frequent sampling is warranted. From August 21, 2006 through August 31, 2006, NEC collected samples every 10 minutes. This is in violation of the June 28, 2006, conditional approval. Since September 3, 2006, NEC has collected samples on a 5 minute interval, which is a return to compliance.

3. Order No. 2 requires NEC to maintain a gas control system such that the off-site H₂S emissions do not exceed 30 parts per billion (ppb) as a 1 hour average. Table 1 (attached) shows a list of exceedences of the 30 ppb as a 1-hr standard. On November 14, 2006, John Logsdon provided clarification via email that the source of the exceedences was the result of the H₂S monitor's regeneration schedule. Apparently, upon completion of the regeneration cycle, the monitor would read unusually high for the first couple of readings. It took a number of evenings for NEC to work out this issue, and it now appears to be resolved. Ohio EPA concurs that it is most likely that these exceedences were a result of a technical problem with the instrument. Regardless, Order No. 27 requires NEC to notify Ohio EPA within forty-eight (48) hours of any exceedence of the standards pursuant to Order No. 2, of any known causes for the exceedences (*i.e.*, gas control system maintenance or malfunction, documented outside influences, etc.), and of any corrective measures taken to return to compliance. Not notifying Ohio EPA pursuant to Order No. 27 is a violation.
4. NEC did not collect or submit barometric pressure data for the 3rd QTR 2006. NEC stated in the 3rd quarter report that there were technical problems with the signal from the met station to the data logger. This would be classified as a malfunction. Order No. 27 requires NEC to submit a deviation report within forty-eight (48) hours of the deviation for each occurrence when data from the met station is lost. Not notifying Ohio EPA pursuant to Order No. 27 is a violation.

REQUESTS

When reviewing the submittal, a few things were noted that, while not required, would make reviewing the report easier. Please, if at all possible, save the date and time in each of their own columns. The date should use a standard Microsoft Excel format. The time should be limited to hours and minutes; seconds need not be included. For purposes of sorting, I have found it easiest to use a format using military time without a colon. For example, 1:00 PM would be logged as 1300, 12:00 AM would be 0, and 5:00 AM would be 500. Also, please submit H₂S data as parts per billion, and include the units (ppb) in the header for the column.

Similar to Number 4 above, there were a number of dates when a review of the data indicates that there was a problem logging wind direction, speed, and temperature. These look to be more of a tab delineation issue than a lost data issue. Please see Table 2 (attached), and take the steps needed to ensure all data is properly logged.

ALTERNATIVE SITING OF MET STATION

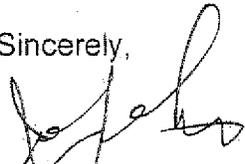
With the report submittal, NEC requested permission to relocate the meteorological station from being collocated on the same pole as the H₂S monitor to the side of the MESL office building. The reason for the relocation is that with the two monitors collocated, MESL is having difficulty getting the met station to send data via telemetry.

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Per the request, NEC is proposing to use the same model of met station approved in the June 7, 2006, conditional approval. That being the case, Ohio EPA's only concern is that, based on best modeling practices, NEC mount the anemometer 2.5 times the building height. In a November 30, 2006, e-mail, John Logsdon of MESL indicated that this would not be a problem. As such, Ohio EPA is granting approval to relocate the meteorological station.

There are no corrective measures available to NEC for the specific violations that occurred on the dates listed above. To avoid future violations, please make every effort to prevent a recurrence. If you have any questions, please do not hesitate to call me at 330-963-1258, or my supervisor Jennifer Kurko at 330-963-1253.

Sincerely,



Joseph C. Loucek, III
Environmental Specialist
Division of Air Pollution Control

JCL:bo

cc: Jennifer Kurko, DAPC-NEDO
Tom Kalman, DAPC-CO
Marcus Glasgow, LEGAL-CO
John Cayton, Attorney General's Office

**TABLE 1: Exceedences of the 30 ppb
1-hr rolling average Standard**

DATE	1-hr rolling time period ending at:	1-hr rolling average (ppb)
Aug 28, 2006	4:41 AM	37.0
Aug 28, 2006	4:50 AM	73.7
Aug 28, 2006	5:00 AM	73.3
Aug 28, 2006	5:10 AM	55.0
Aug 28, 2006	5:20 AM	44.0
Aug 28, 2006	5:30 AM	36.7
Aug 28, 2006	5:40 AM	31.4
Aug 29, 2006	4:41 AM	40.0
Aug 29, 2006	4:50 AM	80.0
Aug 29, 2006	5:00 AM	116.7
Aug 29, 2006	5:10 AM	87.5
Aug 29, 2006	5:20 AM	70.0
Aug 29, 2006	5:30 AM	58.3
Aug 29, 2006	5:40 AM	38.3
Aug 30, 2006	4:41 AM	40.3
Aug 30, 2006	4:50 AM	80.0
Aug 30, 2006	5:00 AM	116.7
Aug 30, 2006	5:10 AM	87.5
Aug 30, 2006	5:20 AM	70.0
Aug 30, 2006	5:30 AM	58.3
Aug 30, 2006	5:40 AM	50.0
Aug 31, 2006	4:50 AM	37.0
Aug 31, 2006	5:00 AM	36.7

**TABLE 2: Missing or Incomplete
Wind and Temperature Data**

Date	Time
Aug 25, 2006	0:30
Aug 25, 2006	10:40
Aug 25, 2006	14:10
Aug 25, 2006	21:40
Aug 22, 2006	17:40
Aug 23, 2006	17:40
Aug 26, 2006	6:30