



**Environmental
Protection Agency**

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

April 29, 2011

Mr. Michael Darnell
Remediation Unit Manager
Countywide Recycling and Disposal Facility
3619 Gracemont Street S.W.
East Sparta, OH 44626

**RE: Countywide Recycling and Disposal Facility (RDF), Stark County;
South Slope Relocation Project**

Dear Mr. Darnell:

On September 30, 2009, Ohio EPA and Republic Services of Ohio II, LLC (Republic) entered into a judicial consent order (Consent Order) to resolve liability for past violations of law occurring at the Countywide Landfill, located at 3619 Gracemont Avenue, East Sparta, Stark County, Ohio (the Facility). In particular, the Consent Order resolved liability for violations associated with the failure of the Facility's south slope and damage to the liner. The Consent Order required Republic to remove and relocate all waste that was outside the limits of waste placement at the south slope. In addition, the Consent Order required Republic to install a minimum of one additional ground water monitoring well in the vicinity of the south slope to address concern over the potential for landfill leachate to impact ground water as a result of the failure of the south slope and damage to the liner.

As a result of these Consent Order requirements, Republic installed an additional ground water monitoring well in the vicinity of the south slope. Additionally, Republic developed a South Slope Work Plan (Plan), which Ohio EPA approved in December of 2010. Republic began implementing the Plan in January of this year.

From mid-January, 2011, through mid-April, 2011, Ohio EPA provided oversight and conducted inspections of the Facility Remediation Unit with specific attention on the South Slope Relocation Project (Project). The purpose of the oversight and inspections was to monitor the progress of the Project and to ensure compliance with the Plan as approved by Ohio EPA in December of 2010.

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Confirmation of Base Liner Tear

On March 21, 2011, while the Facility was excavating waste and installing a toe drain, an irregular fold, approximately 5' – 6' in length, of flexible membrane liner (FML), a component of the base liner, was discovered near the junction of Cells 5A and 6A. Upon further investigation and excavation, a series of smaller folds and a tear of approximately 2' in width were discovered at the junction of Cells 5A and 6A. Additional excavation of waste was conducted to "chase" the tear in the attempt to find the limit and termination point of the tear in the FML. The termination point of the tear in the FML was not discovered. In addition, given the conditions in the Remediation Unit, including the presence of FML that was installed over the surface of the Remediation Unit to control odors, the exact cause of the tear in the liner has not been determined.

The Facility repaired the observable tear in the original FML with a geosynthetic clay liner (GCL) and completely lined the entire excavation cavity with FML welded on all sides. Additional clay was packed in the cavity and once again lined and sealed with FML.

Next Steps

When the parties entered into the Consent Order in 2009, Ohio EPA asserted that the Facility's Remediation Unit liner had been damaged. The work performed at the south slope confirmed this determination. Moreover, at the time the parties entered into the Consent Order, Ohio EPA determined that it would be inappropriate to conduct major excavation work to repair the damaged liner due to the inevitable release of noxious odors from the Remediation Unit.

However, confirmation of the damaged liner does raise concern over the potential release of landfill leachate to the ground water. To address ground water concerns, Ohio EPA required the installation of the additional ground water monitoring well in the vicinity of the south slope. In addition, based on the 2010 second semiannual groundwater monitoring data, the Facility recently triggered into assessment monitoring under OAC Rule 3745-27-10. Ohio EPA will work with Republic, in accordance with the requirements of OAC Rule 3745-27-10, to determine whether the results of this assessment monitoring reveal that ground water has been negatively impacted by the Facility. Ohio EPA remains confident, however, that should there be a release of contaminants from the Facility, such a release will not adversely affect public water systems as a result of area hydrogeology. Ohio EPA has looked into this matter in depth in the past and continues to believe that this landfill was placed in a good location to prevent such problems from occurring. Furthermore, Ohio EPA will expect Republic to fully address any impacts to ground water associated with the Facility in accordance with the requirements of OAC Rule 3745-27-10.

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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 Republic, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1103, or e-mail me at "joshua.adams@epa.state.oh.us."

Sincerely,



Joshua Adams
Environmental Specialist
Division of Materials and Waste Management

JA/mt

cc: Kirk Norris, Stark County Health Department
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file: [land/cwrdf/cor/76]