



CERTIFIED MAIL

November 26, 2012

County Environmental Landfill, LLC
11164 CR 4
Carey, OH 43316

**Re: Expedited Settlement Agreement
and Director's Order**

Dear Sir/Madam:

Transmitted herewith is an Expedited Settlement Agreement and Director's Order ("ESA") issued on November 26, 2012, concerning the matter indicated.

If you have any questions, please contact Marty Cooper at (614) 644-3037.

Sincerely,

A handwritten signature in cursive script that reads "Georgia Frakes".

Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosure

ec: Melinda Berry, DMWM, CO
Marty Cooper, Legal
Jeff Hurdley, Legal
Jeremy Scoles, DMWM, NWDO
John Pasquarette, DMWM, NWDO
Jeffrey Ritchey, Wyandot County Health District

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Jonny Kasser Date: 11-26-12

OHIO E.P.A.
NOV 26 2012
ENTERED DIRECTOR'S JOURNAL

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

County Environmental Landfill, LLC : Expedited Settlement
11164 CR 4 : Agreement and
Carey, Ohio 43316 : Director's Order

Respondent

I. JURISDICTION

This Expedited Settlement Agreement and Order ("ESA") is issued to County Environmental Landfill, LLC ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") 3734.13 and 3745.01.

II. FINDINGS

1. The County Environmental of Wyandot Landfill (the "Facility") is located at 11164 CR 4, Carey, Wyandot County, Ohio.
2. Respondent is an "operator" of the Facility as that term is defined in Ohio Administrative Code ("OAC") Rule 3745-27-01(O)(5) and is also the license holder for the Facility.
3. Respondent is an "owner" or "property owner" as those terms are defined in OAC Rule 3745-27-01(O)(7) and OAC Rule 3745-27-01(O)(5).
4. The Facility is a "sanitary landfill facility" as that term is defined under OAC Rule 3745-27-01(S)(4) and is authorized to accept "solid waste" as that term is defined under ORC § 3734.01(E) and OAC Rule 3745-27-01(S)(24).
5. The Facility is neither licensed nor permitted to accept and/or dispose of hazardous waste.
6. Respondent is a "person" as that term is defined in ORC § 3734.01(G) and in OAC Rule 3745-27-01(P)(3).

7. ORC Section 3734.11(A) states: "No person shall violate any section of this chapter, any rule adopted under it, or any order issued under section 3734.13 of the Revised Code."
8. OAC Rule 3745-27-19(E)(8)(c) states: "The owner or operator shall not accept for disposal or dispose of the following materials at a sanitary landfill facility: ... (c) Materials that are defined as hazardous wastes pursuant to rule 3745-51-03 of the Administrative Code."

Hazardous Waste Acceptance from BMD Workbench, Inc.

9. On January 14, 2011 Ohio EPA's Northwest District Office, ("NWDO") Division of Materials and Waste Management-Hazardous Waste ("DMWM-HW") conducted a compliance inspection at BMD Workbench, Inc ("BMD"), a furniture refinisher. At the time of the inspection, Ohio EPA determined BMD was generating a F002 listed hazardous waste consisting of a mixture of sawdust and spent dichloromethane. BMD was managing the hazardous waste as non-hazardous waste and sent it to Respondent's Facility.
10. On December 22, 2011, Ohio EPA's NWDO, DMWM-Solid Waste ("DMWM-SW") informed Respondent by notice of violation ("NOV") of the violations at the landfill caused by accepting and disposing of hazardous waste from BMD.
11. On May 17, 2012, BMD entered into an Expedited Settlement Agreement and Director's Order with Ohio EPA regarding the mismanagement of hazardous waste.

Hazardous Waste Acceptance from Sanoh America, Inc.

12. On April 26, 2011, NWDO DMWM-HW inspected Sanoh America, Inc ("Sanoh"). Sanoh was generating approximately 60 tons per month of F006 listed hazardous waste wastewater treatment sludge (filtercake) from the treatment of zinc electroplating on copper plated carbon steel tubing. Sanoh mismanaged the sludge by disposing of it in dedicated roll-off containers. The containers with the hazardous waste were sent to Respondent's solid waste landfill for disposal.
13. On February 7, 2012, Ohio EPA's NWDO, DMWM-SW sent Respondent an NOV for acceptance and disposal of hazardous waste from Sanoh.
14. On June 28, 2012, Sanoh entered into an Expedited Settlement Agreement and Director's Order with Ohio EPA regarding the mismanagement of hazardous waste.

ESA

15. In consideration of Respondent's compliance history, its good faith effort to comply in this matter, the benefits of prompt compliance to the public, and other factors as justice may require, and upon consideration of the entire record, this ESA is an appropriate mechanism to resolve the noncompliance detailed in these Findings.

III. ORDERS

Within sixty (60) days from the date of the Director's letter inviting Respondent to sign this ESA, Respondent shall pay to Ohio EPA the amount of eight thousand five hundred and seventeen dollars (\$8,517.00) in settlement of the Ohio EPA's claim for civil penalties, which may be assessed pursuant to Section 3734.13 of the Ohio Revised Code. Payment shall be made by tendering an official check made payable to "Treasurer, State of Ohio" for the full amount, and shall be deposited in the environmental remediation fund established pursuant to ORC Section 3734.281. Payment shall be mailed to the following address: Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049, together with a letter identifying Respondent and the location of the noncompliance detailed in the Findings of this ESA.

A photocopy of the check shall be sent to Ohio EPA at the address listed below:

Ohio Environmental Protection Agency
Division of Materials and Waste Management
Supervisor, Systems Management Unit
P.O. Box 1049
Columbus, Ohio 43216-1049

IV. TERMINATION

Respondent's obligations under this ESA shall terminate upon Ohio EPA's receipt of the civil penalty payment required by this ESA.

V. RESERVATION OF RIGHTS AND WAIVER

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived herein.

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in this ESA, Respondent consents to the issuance of this ESA and agree to comply with this ESA. Compliance with this ESA shall be a full accord and satisfaction of Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of this ESA, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of this ESA either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if this ESA is appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall comply with this ESA notwithstanding such appeal and intervention unless this ESA is stayed, vacated, or modified.

VI. EFFECTIVE DATE

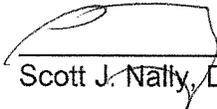
The effective date of this ESA is the date this ESA is entered into the Ohio EPA Director's journal.

VII. SIGNATORY AUTHORITY

Each undersigned representative or party to this ESA certifies that he or she is fully authorized to enter into this ESA and to legally bind such party to this ESA.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency



Scott J. Nally, Director

IT IS SO AGREED:

County Environmental Landfill, LLC



Signature

10-31-12
Date

MARK O'BRIEN
Printed or Typed Name



Title