



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

June 4, 2009

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CERTIFIED MAIL

JUN 05 2009

Mr. Tim Vandersall
General Manager
Countywide Recycling and Disposal Facility (RDF)
3619 Gracemont Street S.W.
East Sparta, OH 44626

**Ohio EPA
DSIWM**

**RE: COUNTYWIDE RDF, STARK COUNTY
APRIL 2009 INSPECTIONS, NOTICE OF VIOLATION (NOV)**

Dear Mr. Vandersall:

On April 16, 21, and 24, 2009, Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM) Northeast District Office (NEDO) conducted partial inspections of Countywide RDF (Facility) to determine compliance with Ohio EPA's statutes and regulations under Ohio Revised Code (ORC) Chapter 3734. and Ohio Administrative Code (OAC) Chapter 3745-27 and Ohio EPA Director's Final Findings and Orders (DFF&Os) issued to the Facility.

Inspections

On April 16, 2009, a new gas collection well was being drilled in Cell 8A and subcap drainage pipes were being installed on the Cell 5 side of the Isolation Break. In the Isolation Break, the final, 8th layer of waste was being excavated. Following directly behind the excavation, crews were installing the toe drain on the Cell 5 side of the Isolation Break.

By April 21, 2009, excavation of waste in the Isolation Break was complete. John Hujar, Ohio EPA, DSIWM-NEDO, and myself, were on site to inspect the progress of the excavation. At the time of the inspection, it appeared that through the excavation of waste in the Cell 5/7 area of the Facility, a complete separation of Cells 5 and 7 was achieved.

On April 24, 2009, a monthly Team Countywide meeting was held at the Facility. During a walkover of Cells 1/2/3 and separate inspection of Cell 7 it was discovered that several small releases of leachate had occurred but were not currently being addressed. These outbreaks were discussed with the Facility as being in need of prompt attention, at which time the Facility began to take steps to address the violation.

Since unaddressed leachate outbreaks were discovered on April 24, 2009, the Facility is in violation of the following:

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OAC Rules 3745-27-19(K)(1): which states, in part: *"If a leachate outbreak occurs at the sanitary landfill facility, the owner or operator shall repair all outbreaks...."*

Ohio EPA strongly advises the Facility to take more aggressive steps to prevent and address leachate outbreaks in these areas. No further action to abate this specific violation is required of the Facility.

DFF&Os

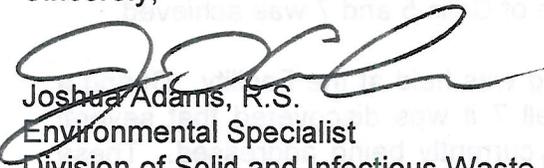
Pursuant to Order 5 of the DFF&Os issued December 31, 2007, the Facility *"shall submit Weekly Progress Reports detailing all activities undertaken in accordance with [the] Orders...Weekly Progress Reports shall be due to Ohio EPA by the close of business of each Friday..."* The Weekly Progress Report covering the period of April 4, 2009, to April 10, 2009, was due to Ohio EPA by close of business on Friday, April 10, 2009. The report, however, was not received by Ohio EPA until Tuesday, April 14, 2009. According to the Facility, "Table 2 [of the Weekly Progress Report] was received Friday [April 10, 2009] with an incorrect date range; therefore, [the Facility] postponed submittal awaiting a revised Table 2."

The Facility's failure to submit the Weekly Progress Report by the required time is a violation of the DFF&Os. No further action to abate this specific violation is required of the Facility.

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 the owner or operator of Countywide RDF, 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, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JA:cl

cc: Scott Heidenreich, DSIWM-CO
Jeff Hurdley, Ohio EPA Legal
Kirk Norris, Stark County Health Department
File: [Land/CWRDF/COR/76]

Greg Nichols, DSIWM-CO
Nicholas Bryan, AGO