



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

October 10, 2008

Re: Belmont County
Tri-State Asphalt Flyash Landfill
Tri-State Group, Inc. & Glenn Straub
Compliance Evaluation Inspection
NPDES Permit 0IN00107*AD
Correspondence (IWW)

Mr. Glenn Straub
Tri-State Group, Inc.
Tri-State Asphalt Corporation
56290 Dilles Bottom Road
Shadyside, Ohio 43947

Dear Mr. Straub:

On August 21, 2008, Jane Jacobs, of the Division of Drinking and Ground Water, and I conducted a Compliance Evaluation Inspection (CEI) at the Tri-State Asphalt Flyash Landfill facility. Tim Kern, of the Ohio Attorney General's Office, accompanied us on the inspection. Larry Zink, attorney for Glenn Straub and Tri-State Group, Inc., and Mike Kearns of Jack Hamilton and Associates, represented Glenn Straub and Tri-State Group, Inc. (Straub and TSG) on the inspection. Wastewater samples were not taken. A copy of the inspection report form is attached.

The purpose of the inspection was to determine the status of compliance of the site with the Court Ordered Closure Plan submitted by Straub and TSG. Based on this inspection, and previous site status reports and documents submitted as required by the approved closure plan, Straub and TSG have performed the work required to proceed with closure certification. The pond has been properly removed and reclaimed, the flyash disposal site has been covered and graded, erosion controls are in place, the site has been seeded and mulched and the grass has begun to grow, the ground water wells have been installed in accordance with the approved Groundwater Monitoring Plan, and monitoring of the wells has begun.

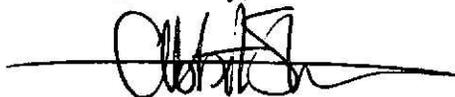
The 5 year groundwater monitoring period required by the 2003 Judgment began 4/23/08, when the first sampling event occurred.

The establishment of the vegetative cover will be addressed through the post closure maintenance plan since the closure plan states that permanent seeding will not be considered established until one year after the time of planting.

The deed restriction required by the 2003 Judgment to be included in the closure plan, has been revised in accordance with the Court's 8/29/08 Entry, and is attached to this correspondence. Straub and TSG are reminded that the 8/29/08 Entry requires the deed restriction to be filed before closure certification is made.

If you have any questions, please contact me at your convenience at (740) 380-5284 or by e-mail at abbot.stevenson@epa.state.oh.us.

Sincerely,

A handwritten signature in black ink, appearing to be 'Abbot Stevenson', written over a horizontal line.

Abbot Stevenson
Environmental Engineer
Division of Surface Water

AS/dh

Enclosure

- c: Timothy Kern, AGO
- c: Jane Jacobs, DDAGW, SEDO
- c: Mike Kearns, Hamilton and Associates, Inc.
- c: Larry Zink, Zink, Zink and Zink
- c: Andrew Conway, DSW, CO

NPDES Compliance Inspection Report

A. NATIONAL DATA SYSTEM CODING

Permit No.	NPDES No.	Date	Inspection Type	Inspector	Facility Type
01N00107*AD	OH0076813	August 21, 2008	C	S	2

B. FACILITY DATA

Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Tri State Asphalt Flyash Landfill 56290 Dilles Bottom Road Shadyside, Ohio 43947	10:45 a.m.	December 12, 1985
	Exit Time	Permit Expiration Date
	12:30 p.m.	December 9, 1990

Name(s) and Title(s) of On-Site Representative(s)	Phone Number(s)
Lary Zink, Attorney Mike Kearns, Engineer, Jackson Hamilton and Associates	(740) 968-4947
Name, Address and Title of Responsible Official	Phone Number
Glenn Straub, President Tri State Group, Inc. 7745 Wood Duck Road Boca Raton, FL 33434	(561) 798-7333

C. AREAS EVALUATED DURING INSPECTION

<u>U</u> Permit	<u>NA</u> Flow Measurement	<u>NA</u> Pretreatment
<u>N</u> Records/Reports	<u>NA</u> Laboratory	<u>S</u> Compliance Schedules
<u>S</u> Operations & Maintenance	<u>NA</u> Effluent/Receiving Waters	<u>S</u> Self-Monitoring Program
<u>S</u> Facility Site Review	<u>NA</u> Sludge Storage/Disposal	<u> </u> Other
<u>NA</u> Collection System		

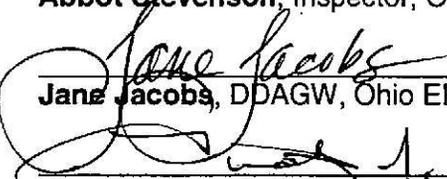
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

D. SUMMARY OF FINDINGS/COMMENTS (attach additional sheets if necessary)

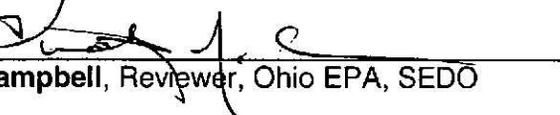
1. Permit - the permit does not reflect current conditions at the site.


Abbot Stevenson, Inspector, Ohio EPA, SEDO

10/10/08
Date


Jane Jacobs, DDAGW, Ohio EPA, SEDO

10/10/08
Date


Timothy Campbell, Reviewer, Ohio EPA, SEDO

10/10/08
Date