



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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

August 17, 2009

**Re:** Belmont County  
Tri-State Asphalt Flyash Landfill  
Tri-State Group, Inc. & Glenn Straub  
Compliance Evaluation Inspection  
NPDES Permit 01N00107\*AD  
Correspondence (IWW)

Mr. Glenn Straub  
Tri-State Group, Inc./Tri-State Asphalt Corp.  
c/o Larry A. Zink, Esq.  
Zink, Zink & Zink Co., L.P.A.  
3711 Whipple Avenue NW  
Canton, Ohio 44718-2933

Dear Mr. Straub:

On August 11, 2009, 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 located at 56290 Dilles Bottom Road, Shadyside, Ohio 43947. No one 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 the inspection and file review the site appears to be in compliance with the plan.

As a result of the inspection and file review, I have the following comments:

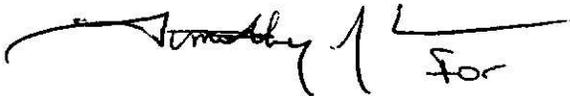
1. The vegetation on the majority of the site is good (see photos 1 and 15 attached). However, there are several areas where the vegetation is sparse (see photos 9, 10, 21 and 22 attached). Maintenance of the vegetation is needed as required by the post closure maintenance plan. It is recommended that a soil evaluation be made by either the Ohio State University Belmont County Extension Office (Steve Schumacher, 740/695-1455) or a local fertilizer store (such as Landmark) for re-seeding, liming and fertilizer needs. Provide a plan with a time schedule for repairing these areas.
2. The access road from the office trailer has begun to erode away (see photos 28 and 29). Since this soil is highly erodible it is recommended that this be repaired right away before it gets worse. It appears that this is the only access for the company to this site. Provide a date when this will be accomplished.

3. The Dilles Bottom, Ohio address is no longer a valid mailing address for Glenn Straub or Tri-State Group/Tri-State Asphalt, Inc. Provide a valid address.
4. Per Jane Jacobs: Wells MW-8, MW-9, MW-10, MW-11 were located as shown on the facility map. The wells are locked and are properly maintained. The facility is conducting ground water monitoring according to the approved ground water monitoring plan contained in the revised and received May 12, 2008, Hydrogeologic Investigation Report. No problems are noted with the ground water related portions of the site.

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

Please respond, in writing, to items 1 through 3 identified above, within 14 days of receipt of this report. 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](mailto:abbot.stevenson@epa.state.oh.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Abbot Stevenson", followed by a horizontal line and the word "for" written below it.

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 Reeder, DSW, CO
- c: Judge John M. Solovan, II

**NPDES**  
Compliance Inspection Report

**A. NATIONAL DATA SYSTEM CODING**

Permit No.	NPDES No.	Date	Inspection Type	Inspector	Facility Type
01N00107*AD	OH0076813	August 21, 2009	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	10:30 a.m.	December 12, 1985
	Exit Time	Permit Expiration Date
	12:00 p.m.	December 9, 1990

Name(s) and Title(s) of On-Site Representative(s)	Phone Number(s)
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

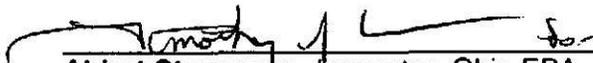
**C. AREAS EVALUATED DURING INSPECTION**

<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

8/17/09  
Date

  
Jane Jacobs, DDAGW, Ohio EPA, SEDO

8/17/09  
Date

  
Timothy Campbell, Reviewer, Ohio EPA, SEDO

8/17/09  
Date

**E. PERMIT VERIFICATION**

Inspection Observations Verify the Permit	Yes	No	N/A	N/E
a. Correct name and mailing address of permittee		X		
b. Correct name and location of receiving waters		X		
c. Product(s) and production rates conform with permit application (industries)			X	
d. Flows and loadings conform with NPDES permit		X		
e. Treatment processes are as described in permit application/briefing memo		X		
f. New treatment process(es) added since last inspection		X		
g. Notification given to state of new, different, or increased discharges	X			
h. All discharges are permitted			X	
i. Number and location of discharge points are as described in permit		X		

**Comments:** a. Name of company is now Tri-State Group.  
b-i. Pond was removed.

**F. COMPLIANCE SCHEDULES/VIOLATIONS**

	Yes	No	N/A	N/E
a. Any significant violations since the last inspection		X		
b. Permittee is taking actions to resolve violations			X	
c. Permittee has compliance schedule	X			
d. Compliance schedule contained in: <u>2003 Judgement</u>				
e. Permittee is meeting compliance schedule	X			

**G. OPERATION AND MAINTENANCE**

Treatment Facility Properly Operated and Maintained	Yes	No	N/A	N/E
a. Standby power available: Generator: _____ Dual Feed: _____			X	
b. Adequate alarm system available for power or equipment failures			X	
c. All treatment units in service other than backup units			X	
d. Sufficient operating staff provided: No. of shifts: _____ Days/Week: _____			X	
e. Operator holds unexpired license of class required by permit Class: _____			X	
f. Routine and preventive maintenance schedule/performed on time	X			
g. Any major equipment breakdown since last inspection			X	
h. Operation and maintenance manual provided and maintained			X	
i. Any plant bypasses since last inspection			X	
j. Regulatory agency notified of bypasses: _____ on MORS _____ 800 No.			X	
k. Any hydraulic and/or organic overloads experienced since last inspection			X	

**Comments:** No discharge.

Collection System	Yes	No	N/A	N/E
a. Percent combined system: _____ %			X	
b. Any collection system overflows since last inspection: CSO _____ SSO: _____			X	
c. Regulatory agency notified of overflow (SSOs)			X	
d. CSO O and M plan provided and implemented			X	
e. CSOs monitored and reported in accordance with permit			X	
f. Portable pumps used to relieve system			X	
g. Lift station alarm systems provided and maintained			X	
h. Are lift stations equipped with permanent standby power or equivalent			X	
i. Is there an inflow/infiltration problem (separate sewer system), or were there any major repairs to collection system since last inspection			X	
j. Any complaints received since last inspection of basement flooding			X	
k. Are any portions of the sewer system at or near capacity			X	

## H. SLUDGE MANAGEMENT

	Yes	No	N/A	N/E
a. Sludge adequately disposed (Method: _____)			X	
b. If sludge is incinerated, where is ash disposed of? _____			X	
c. Is sludge disposal contracted (Name: _____)			X	
d. Has amount of sludge generated changed significantly since last inspection			X	
e. Adequate sludge storage provided at facility			X	
f. Land application sites monitored and inspected per state rules			X	
g. Records kept in accordance with state rules			X	
h. Any complaints received in last year regarding sludge			X	
i. Is sludge adequately processed (digestion, dewatering, pathogen control) in accordance with Ohio EPA rules			X	

## I. SELF-MONITORING PROGRAM

Part 1 – Flow Measurement	Yes	No	N/A	N/E
a. Primary flow measuring device properly operated & maintained. Type of device: _____ ultrasonic & parshall flume      _____ calculated from influent _____ weir      _____ other _____ ultrasonic & weir      _____ specify:			X	
b. Calibration frequency adequate (date of last calibration: _____)			X	
c. Secondary instruments (totalizers, recorders, etc.) properly operated and maintained			X	
d. Flow measurement equipment adequate to handle expected ranges of flows			X	
e. Actual flow discharged is measured			X	
f. Flow measuring equipment inspection frequency: _____ Daily      _____ Weekly _____ Monthly      _____ Other				



**K. MULTIMEDIA OBSERVATIONS**

	Yes	No	N/A	N/E
a. Are there indications of sloppy housekeeping or poor maintenance in work and storage areas or laboratories		X		
b. Do you notice staining or discoloration of soils, pavement, or floors		X		
c. Do you notice distressed (unhealthy, discolored, dead) vegetation		X		
d. Do you see unidentified dark smoke or dustclouds coming from sources		X		
e. Do you notice any unusual odors or strong chemical smells		X		
f. Do you see any open or unmarked drums, unsecured liquids, or damaged containment facilities		X		

**If any of the above are observed, ask the following questions:**

1. What is the cause of the conditions?
2. Is the observed condition or source a waste product?
3. Where is the suspected contaminant normally disposed?
4. Is this disposal permitted?
5. How long has the condition existed and when did it begin?



Photo 1



Photo 15



Photo 9

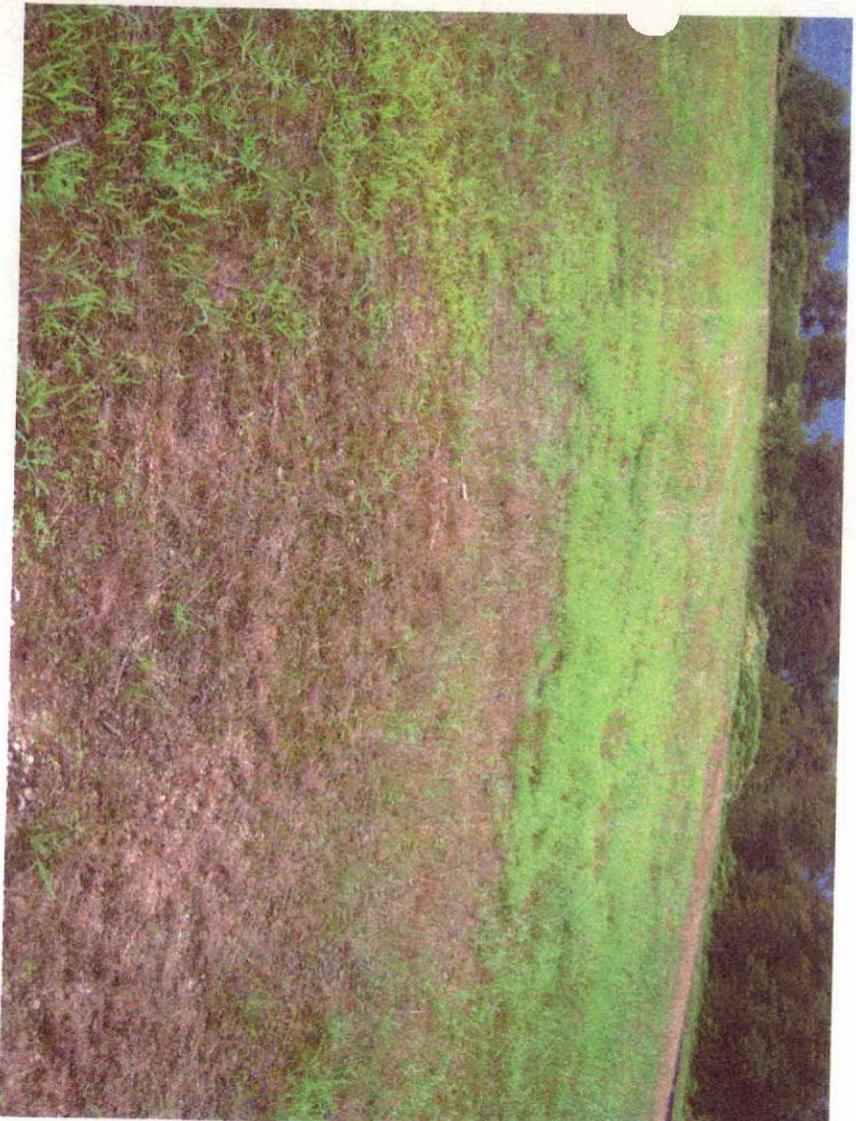


Photo 10



Photo 21



Photo 22



Photo 29



Photo 28