



Environmental  
Protection Agency

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

June 28, 2011

Chaney's Nursery Inc.  
1610 McKaig Road  
Troy, Ohio 45373

Re: Class IV Composting Facility, Notice of Violation

Dear Ms. Sharon Chaney:

On June 23, 2011, I conducted an inspection of Chaney's Nursery, Inc. Class IV composting facility. The following was observed.

It is evident that leachate runoff has been a problem in the past. Straw bales are being used as a temporary fix to slow down and keep leachate on the property. Please ensure that all water that comes into contact with the compost piles remains on site and does not drain off the property. It was stated that it is the Facility's intention to move finished compost and then relocate piles at the Facility to allow for a greater surface distance prior to water draining from the property.

The last two weekly inspections were not documented in the Facility's daily log. This is a violation of OAC Rule 3745-27-45 (K) (1) (b) which states in part that "The owner or operator shall inspect the facility, maintain a daily log, and if applicable, establish a tracking system in accordance with the following: The owner or operator shall inspect the facility a minimum of once every week during the time period when feedstocks, bulking agents, or additives are not received and when feedstocks, bulking agents, or additives or curing or cured compost remain at the facility." It was stated that no feedstock has been accepted since the fall 2010 leaf collection and no material has been removed. Please ensure Form 3 of the Compost Daily Log is being completed and that Form 2 is used when waste is accepted or removed from the compost facility.

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to, Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code, or, under the Federal Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, or Resource Conservation Recovery Act remedying conditions resulting from ant release of contaminants to the environment.

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You are required to respond in writing to this Notice of Violation within 14 days of the receipt of this letter. Your response will include actions taken to correct the above violations. If you have any questions, please feel free to phone this office at (937) 285-6094. Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jill Olberding".

Jill Olberding, R.S  
Division of Material and Waste Management

JO/mab