



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

August 28, 2007

RE: **A&L SALVAGE LLC C&DD LF
NOTICE OF VIOLATION**

CERTIFIED MAIL

Mr. Dave Brown
A&L Salvage LLC
11225 State Route 45
P.O. Box 333
Lisbon, OH 44432

Dear Mr. Brown:

On July 26, 2007, Dave Dysle and I, representing Ohio Environmental Protection Agency (Ohio EPA), conducted a comprehensive inspection of the A&L Salvage LLC C&DD Landfill, located at 11225 State Route 45 in Columbiana County. Jason Plunkett and you, representing A&L Salvage LLC, accompanied us during the inspection. Hank Pappert, representing Field & Technical Services, was conducting gas monitoring at the time of the inspection.

The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) Sections 3714. and 3734., and Ohio Administrative Code (OAC) Chapters 3745-400 and 3745-27. The following violations were identified during the inspection:

- 1. Acceptance of Pulverized Debris:** The owner and operator of the facility are in violation for accepting pulverized debris at the facility. During the inspection on July 26, 2007, Ohio EPA determined that four loads in the facility's unloading zone were unidentifiable as construction and demolition debris (C&DD). The following pictures were taken on July 26, 2007 of the loads that were unidentifiable C&DD.

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Specifically, accepting pulverized debris is a violation of the following:

- **Ohio Administrative Code (OAC) Rule 3745-400-11(F):** *“Prior to acceptance by the facility, debris shall be readily identifiable as construction and demolition debris and shall not have been shredded, pulverized, or otherwise rendered to the extent that the debris is unidentifiable.”*
- **Ohio Revised Code (ORC) Section 3714.081(A):** *“A construction and demolition debris facility shall not accept pulverized debris.”*

Ohio EPA requested that the four loads be rejected and the loads were removed from the unloading zone during the inspection. Upon review of your records, three of the four loads were unloaded from rail car and logged in as Hudson Logistics, Inc. as the generator. However, there were nine other loads from Hudson Logistics, Inc. that were accepted and disposed of into the landfill. At the time, you stated that the four rejected loads and all of the other rail cars will be sent to Apex solid waste landfill. In order to comply with the above law and rule, the owner and operator must ensure that prior to acceptance, all debris is readily identifiable as C&DD and not shredded, pulverized, or otherwise rendered to the extent that the debris is unidentifiable.

Please respond to this violation by submitting to this office documentation of the removal and proper disposal of this rejected load material from the unloading zone in accordance with ORC 3714.083.

2. **Daily Logs of Operation:** The owner and operator of the facility are in violation because the logs were not properly completed. The daily logs must accurately document the loads of prohibited material that was rejected from the landfill. Upon review of daily logs, there were no loads identified as being rejected, however there were two other separate tracking systems of rejected loads. One system tracks the loads rejected at the scale house, whereas the other system tracks the loads rejected at the working face. All of the rejected loads need to be tracked and properly identified on the daily logs. Therefore, the owner and operator of the facility are in violation of the following:

- **OAC 3745-400-11 (B)(9):** *“The owner or operator shall keep a daily log of operations of the facility that contains all the information specified on*

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forms prescribed by the director. All entries required by the log form shall be completed..."

The following observations were made during the July 26, 2007 inspection:

- At least nine pickers were removing solid waste from the working face and unloading zone.
- We also observed the area of the landfill where asbestos waste was disposed. It was 9:45 AM when we first observed an area of uncovered asbestos waste. The asbestos waste remained uncovered until 2:25 PM when the asbestos waste was covered with soil.
- Gas monitoring of a pipe was being conducted of the depression area along the West side of the facility. There was a slight odor in the area at the time of the inspection. Jason explained that there was a second depression that was covered and watered approximately 2 weeks prior to our inspection. Since that occurrence, he explained that temperatures and gas monitoring of the area has been down.

The owner or operator must immediately take all necessary measures to return to compliance with Ohio's solid waste and C&DD laws and rules. Please provide written notification to me within 15 days of receiving this letter which documents how the violations listed above have been corrected, and what measures will be implemented in the future to prevent recurrence of these violations.

Failure to correct the above violations and operate this facility in accordance with all applicable state laws and rules may result in escalated enforcement action being taken against the owner or operator of this facility by Ohio EPA.

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 A & L Salvage LLC, 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.

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If you have any questions regarding this letter, please feel free to contact me at (330) 963-1268, or e-mail me at "colum.mckenna@epa.state.oh.us."

Sincerely,

A handwritten signature in black ink, appearing to read "Colum McKenna". The signature is written in a cursive style and includes a circled initial or mark at the end.

Colum McKenna
Environmental Specialist
Division of Solid and Infectious Waste Management

CM:cl

cc: Dave Dysle, DSIWM, NEDO
Jerry Weber, DSIWM, NEDO
Bruce McCoy, DSIWM, CO
Robert Morehead, Columbiana County Health Department
File: [Tuke/CONS/A&L/COR/15]

DSIWM #