



**Environmental
Protection Agency**

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

June 23, 2011

**RE: CENTRAL WASTE LANDFILL
2009 & 2010 ANNUAL REPORT
NOTICE OF VIOLATION**

CERTIFIED MAIL

Tom Johnson
Central Waste, Inc.
12003 Oyster Road
Alliance, OH 44601

Dear Mr. Johnson:

The Ohio Environmental Protection Agency (Ohio EPA) Northeast District Office (NEDO) has completed a review of the Central Waste Landfill Facility Annual Operational Reports for 2009 and 2010. The reports were received on March 31, 2010 and March 28, 2011, respectively. The topographic maps provided identify the current and proposed working phase, which expands throughout Phases 1-6. Central Waste Landfill is working in several phases so that all areas are constructed to the appropriate final grade. The alteration approved on November 21, 2008 revised the 6-series phasing drawings to combine Phase 5 and Phase 6 into a single phase. It is noted on the altered phasing drawings that waste placement will begin in Phase 5 & 6 prior to Phase 4 achieving final grade.

Ohio EPA has identified the following violation:

1. **OAC 3745-27-19(M)(6)** requires the annual report to contain: *"The most recent updated closure cost estimate and post-closure care cost estimate adjusted for inflation and for any change in the closure cost estimate or post-closure cost estimate required by the rules 3745-27-15 and 3745-27-16 of the Administrative Code."*

The closure and post-closure cost estimates do not appear to be accurately adjusted for any change in activity that increases the cost of closure. For instance, the post-closure cost estimate leachate management system unit price equals \$0.04 per gallon; however Ohio EPA is aware that this price is higher. Central Waste shall analyze both the closure and post-closure estimates and make any appropriate revisions to the estimates whenever a change in the closure activities increases the cost of closure.

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The 2009 Annual Report states in Section 19 that MW-30D will be added to the assessment program in 2010. The 2010 Annual report does not verify an addition of a monitoring well for year 2010. Central Waste Landfill should clarify the total number of monitoring wells in the assessment program and verify that quantity with the post-closure estimate for groundwater assessment monitoring.

Twenty-six (26) groundwater monitoring wells are accounted for in the post-closure estimate, which is comparable to the approved PTI. However, there is an average of twenty (20) piezometers at Central Waste to help delineate the direction of ground water flow. It is unclear if the post-closure estimate includes a cost for sampling and analysis of piezometers.

2. **OAC 3745-27-19 (M)(1)(a)** requires *the Annual Operational Report to include a topographic map of all units of the sanitary landfill and at a minimum identify the calendar year which the submittal represents.*

The 2009 Annual Report topographic map, sheet 2, is dated for the year 2008 and therefore incorrectly identifies the calendar year. Topographic maps, sheets 1 & 3, identify the correct calendar year of 2009.

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 Entity 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 for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions concerning this letter, please contact me at (330) 963-1257.

Sincerely,



Katharina Snyder
Division of Materials and Waste Management

KS:cl

cc: Allison Giancola, DMWM, NEDO
Mary Helen Smith, Mahoning County Health Department
File: [Sowers/LAND/Central Waste/ANN/50] DMWM #3842, 3255