

**Environmental  
Protection Agency**

Gov. Susikowski, Governor  
Lee Fisher, Lt. Governor  
Chris Koneski, Director

August 24, 2010

**RE: NOTICE OF VIOLATION  
TOTAL WASTE LOGISTICS  
PENN-OHIO FACILITY C&DD LANDFILL**

**CERTIFIED MAIL**

Mr. Tim Clark  
Total Waste Logistics  
Penn-Ohio Facility C&DD Landfill  
7555 North Street  
Negley, Ohio 44441

Dear Mr. Clark:

On August 13, 2010, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a comprehensive inspection of the Total Waste Logistics, Penn-Ohio Facility C&DD Landfill (Penn-Ohio), located approximately 2000 feet north of the intersection of State Routes 154 and 170 in Negley, Columbiana County, Ohio. The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) 3714. and Ohio Administrative Code (OAC) 3745-400, and ORC 3734. and OAC 3745-27.

Tim Clark, representing the facility owner or operator, accompanied me during the inspection.

The following violation was identified during this inspection:

1. **Leachate Collection System.** During this inspection, the leachate collection system pump at station 1 was not functioning. The switch on the panel was turned to "manual"; however, the breaker was kicked out. Repeated attempts to reset the breaker were unsuccessful.

Penn-Ohio is in violation because it has failed to operate the leachate collection system to maintain no more than one foot of head on the in situ and/or added geologic material or constructed liner with the exception of the sump area(s). Failure to operate the leachate collection system to maintain no more than one foot of head on the in situ and/or added geologic material or constructed liner with the exception of the sump area(s) at the landfill has resulted in a violation of the following:

- a. **OAC Rule 3745-400-11(P)(1):** *"The owner or operator shall operate the leachate collection system to maintain no more than one foot of head anywhere on the in situ and/or added geologic material or constructed liner with the exception of the sump areas."*

In order to return to compliance with this rule, the owner or operator must immediately determine why the pump is not functioning and make all appropriate repairs.

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Please provide written notification to me within 15 days of receiving this letter which documents how the violation listed above has been corrected.

In addition to the above documented violation, the following was observed during this inspection:

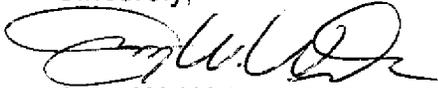
1. Strong hydrogen sulfide gas odors were detected on the landfill. Hydrogen sulfide gas odors were not detected outside the facility boundary on this occasion.
2. Penn-Ohio must make every effort possible to eliminate the conditions leading to the generation of hydrogen sulfide gas, and to control the release of hydrogen sulfide gas from this facility. Failure to eliminate the conditions leading to the generation of hydrogen sulfide gas, and failure to control the release of hydrogen sulfide gas has resulted in strong odors offensive to the senses. Should these odors be detected off the facility, they will interfere with the comfortable enjoyment of life and property of the surrounding community which will potentially lead to rules' violations.
3. Large areas containing exposed debris on the surface of the landfill were observed during this inspection. Facility records indicated that no debris had been disposed in the landfill since approximately June 7, 2010. A follow up inspection will be conducted in approximately one week in order to determine if cover has been applied to all exposed debris.
4. OAC Rule 3745-400-11(P)(1) requires the owner or operator to operate the leachate collection system in order to maintain no more than one foot of head anywhere on the in situ and/or added geologic material or constructed liner with the exception of the sump areas. Ohio EPA requests that Penn-Ohio provide a demonstration using both text and drawings in order to clearly define exactly how it can be physically verified that the current leachate collection system at this landfill complies with this rule.
4. Large areas of the landfill are un-vegetated. The condition may be a violation of the facility's surface water permit.

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 Penn-Ohio, 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) 963-1274, or preferably, e-mail me at "[jerry.weber@epa.state.oh.us](mailto:jerry.weber@epa.state.oh.us)."

Sincerely,



Jerry W. Weber, R. S.  
Environmental Specialist  
Division of Solid and Infectious Waste Management

JWW:cl

cc: File: [Kurko/CONS/Total Waste Logistics Penn-Ohio/COR/15]

ec: Joe Trocchio, DSW-NEDO  
Lori Barnes, Columbiana County Health Department

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PS Form 3800, August 2006 See Reverse for Instructions

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1. Article Addressed to:

Mr. Tim Clark  
 Total Waste Logistics  
 Penn-Ohio Facility C&DD Landfill  
 7555 North Street  
 Negley, Ohio 44441

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