



State of Ohio Environmental Protection Agency

Northeast District Office

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

May 9, 2007

**RE: COUNTYWIDE RDF
STARK COUNTY
NOTICE OF VIOLATION/PARTIAL
INSPECTION REPORT**

Tim Vandersall
General Manager
Countywide Recycling and Disposal Facility (RDF)
3619 Gracemont Street S.W.
East Sparta, OH 44626

Dear Mr. Vandersall:

On May 4, 2007, I conducted a partial inspection of the Countywide RDF, located at 3619 Gracemont Street S.W., East Sparta in Stark County, Ohio. Accompanying me during the inspection were Michael Beaudoin of EarthTech, Rick Thomas of Environmental Risk Management Consulting Corporation (ErMC²) and Lynn Sowers of Ohio EPA. Mr. Beaudoin also assisted me during the files/records review. Weather conditions were sunny with temperatures around 70° F.

The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) Sections 3714. and 3734., Ohio Administrative Code (OAC) Chapter 3745-27, and the Director's Final Findings and Orders (F&Os) issued for Countywide RDF on March 28, 2007. The facility's southern 88-acre landfill, the borrow area which contains daily cover and clay materials and the files/records kept as required by the F&Os were inspected on this date. There was no sampling (gas well temps, tedlar bags, leachate samples, etc.) scheduled on this day.

The following file sections were reviewed based on the F&Os: 4.A.1 through 4.A.13; 4.B through 4.E; 5.A through 5.C; 6.A and 6.B; and 7 through 16. The records being kept per section 4.A.7 of the F&Os are still missing the "highest recorded temperature and depth specifically highlighted" that is required. No significant deficiency was noted in the files.

Mr. Beaudoin escorted Lynn Sowers and myself to the west side of the 88 acres so we could witness how they checked the flare's flame arrestor for evidence of residue indicative of combustion, per Order 4.A.4. At the time of the inspection there was no residue/particulate matter or odors present at the flare and flame arrestor that would be described as indicative of combustion.

Evidence of gas, smoke, flames and settlement were looked for during the inspection, but nothing was noted. At the time of the inspection, no off-site odor complaints were brought to Ohio EPA's attention.



Tim Vandersall
Countywide Recycling and Disposal Facility (RDF)\
May 9, 2007
Page 2

The following violation is occurring at the facility:

1. **OAC rule 3745-27-19(E)(3)(a):** *"The owner or operator shall have adequate equipment, material, and services available at or near the facility to control fire. The owner or operator shall act immediately to control or extinguish any fire."*

As you are aware, the Director of Ohio EPA determined that a fire is occurring at Countywide Recycling and Disposal Facility. OAC Rule 3745-27-19(E)(3)(a) requires Countywide to "act immediately to control or extinguish fire." Countywide is in violation of OAC Rule 3745-27-19(E)(3)(a) because, as of the date of inspection, the fire is neither controlled nor extinguished; however, we acknowledge that Countywide has entered into Director's Final Findings and Orders with Ohio EPA that requires the facility to undertake actions necessary to develop the remedy for this violation and further sets forth a schedule to attain compliance with OAC Rule 3745-27-19(E)(3)(a). In light of this circumstance, Countywide will remain in violation of OAC Rule 3745-27-19(E)(3)(a) until the fire is extinguished. Although Countywide is undertaking extensive efforts to comply with the Orders, in the event that Countywide falls delinquent in its performance under the Orders, be aware further escalated enforcement action may follow to redress this serious violation.

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 Countywide RDF, 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.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1103, or e-mail me at "joshua.adams@epa.state.oh.us."

Sincerely,



Joshua Adams
Environmental Specialist
Division of Solid and Infectious Waste Management

JA:cl

cc: Kirk Norris, Stark County Health Department
Gina Gerbasi, DSIWM-CO
File: [Sowers/land/Countywide RDF/COR/76]