OhioEPA

State of Ohio Environmental Protection Agency

Northeast District Office

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

May 23, 2007

RE: NOTICE OF VIOLATION
A&L SALVAGE, LLC C&DD LANDFILL

Mr. Ron Rager
A&L Salvage, LLC
11225 SR 45
P. O. Box 333
Lisbon, Ohio 44432

Dear Mr. Rager:

On May 10, 2007, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a partial inspection of the A&L Salvage, LLC C&DD Landfill (A&L), located at 11225 State Route 45, Columbiana County. 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. Weather conditions were sunny, hot and humid, with a temperature of approximately 75°.

Jarnal Singh and Dale Warner, representing Ohio EPA, and Jason Plunkett, representing the facility owner or operator accompanied me during the inspection.

The portions of the facility that were inspected during this visit included the facility working face and unloading zone, and the access roads. An attempt was also made to determine the presence of hydrogen sulfide gas. The following violation was identified during this inspection:

1. **Acceptance of Pulverized Debris.** During this inspection, two loads of pulverized debris which were unidentifiable as construction and demolition debris (C&DD) were observed in the facility's unloading zone. The owner or operator was informed of Ohio EPA's determination and instructed to reject the loads. Mr. Plunkett indicated that he had not had the opportunity to inspect the loads prior to their being deposited in the facility unloading zone.

   A&L is in violation because it accepted pulverized debris at the facility. Acceptance of pulverized debris is a violation of the following:

   a. **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."*

   b. **Ohio Revised Code (ORC) Section 3714.081(A):** *"A construction and demolition debris facility shall not accept pulverized debris."*

The following photograph shows one load of pulverized debris which was observed in the facility unloading zone during this inspection:

In order to comply with the above law and rule, the owner and operator must ensure that prior to acceptance, debris shall be readily identifiable as C&DD and shall not have been shredded, pulverized, or otherwise rendered to the extent that the debris is unidentifiable.

In accordance with division (B) of ORC Section 3714.081, Ohio EPA notified the facility owner or operator during the inspection that the loads were pulverized, and that the loads must be removed from the facility and properly disposed at a licensed solid waste landfill. In order to comply with division (B) of ORC Section 3714.081, the owner or operator must do one of the following:

(1) Immediately cause the pulverized debris to be removed from the facility;

(2) Store the pulverized debris at a location at the facility where construction and demolition debris is not disposed of for not more than ten days after the receipt of a request to remove the debris from the facility. Not later than the end of the ten-day period, the owner or operator shall cause the pulverized debris to be removed from the facility.

The following observations were made during this inspection:

1. No drag out of mud from the facility onto State Route 45 was observed.

2. Friable and non-friable asbestos were disposed and in the process of being covered with soil in an area located on top of the landfill.

3. Cover soils were present over all areas of debris placement except for the current facility unloading zone and working face.

4. Various prohibited solid wastes were present in the facility working face. Pickers were actively removing the prohibited solid wastes. The amount of prohibited solid wastes observed in the working face did not appear to be of such a volume that would exceed the regulatory threshold established by ORC Section 3714.021.

5. Hydrogen sulfide gas odors were detected on the facility during this inspection, but no hydrogen sulfide gas odors were detected off the facility.

6. Black Road, which had previously been closed to through traffic, was open. The owner or operator indicated that the road had been reopened by Center Township on Monday May 7, 2007.

7. The owner or operator rejected one load of incoming waste at the unloading zone because it contained too much prohibited solid waste.

8. One load of pulverized debris which had reportedly been rejected during a previous inspection conducted on May 3, 2007, was observed isolated from the current working face and tarped.

The owner or operator of A&L 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 violation listed above has been corrected, and what measures will be implemented in the future to prevent any such recurrence of this violation.

Failure to correct the above violation 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.

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."

Sincerely,

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

JWW:cl

cc: Bruce McCoy, DSIWM-CO
Jarnal Singh, DSIWM-NEDO
Dale Warner, DSIWM-SEDO
Robert Morehead, Columbiana County Health Department
File: [Tukel/CONS/A&L Salvage/COR/15]