



State of Ohio Environmental Protection Agency

INTER-OFFICE COMMUNICATION

TO: Clarissa Gereby, Environmental Specialist II, DSIWM-NEDO
FROM:  Judy Bowman, Environmental Specialist III, DSIWM-NEDO
DATE: May 15, 2009
SUBJECT: Mt. Eaton Landfill 2008 Annual Report Review

A review of Sections 12, 14, 15, and 18 of the 2008 Mt. Eaton annual report has been conducted and the following violations were noted:

OAC Rule 3745-27-19(M)(1)(i) requires the annual report to contain *(i) A comparison of the actual vertical and horizontal limits of emplaced waste to the vertical and horizontal limits of waste placement authorized in the applicable authorizing documents, including an approved permit to install, plan approval, or operational report. If emplaced waste exceeds the limits of vertical and horizontal waste placement authorized in the applicable authorizing documents, this comparison shall include a topographic map which delineates the areal extent of 3745-27-19 19 emplaced waste that exceeds approved limits specified in such authorizing documents. In addition, the topographic map shall contain notes that indicate the following information for waste exceeding authorized limits of waste placement: the maximum estimated volume, the maximum depth, and the average depth.*

As documented in numerous notices of violation, the limits of solid waste placement are outside of the approved limits of waste placement. The owner/operator has not submitted substantiated estimates for the amount of emplaced waste that exceeds the approved limits.

OAC Rule 3745-27-19(M)(6) requires the annual report to contain *"The most recent updated final closure cost estimate, post-closure care cost, and, if applicable, corrective measures cost estimate, adjusted for inflation and for any change in final closure cost estimate, post-closure care cost estimate, or corrective measures cost estimate required by rules 3745-27-15, 3745-27-16, and 3745-27-18 of the Administrative Code."*

The annual report does not contain itemized cost estimates as required by the rule. Itemized cost estimates must be submitted with the annual report. Several Notices of Violation have been sent previously detailing violations of financial assurance requirements. The owner/operator has failed to rectify these violations. The closure costs have significantly increased at the facility. Financial assurance must be provided to close the facility and conduct post-closure care in accordance with the current authorizing documents. The final closure cost estimate must include the cost for removal, transport and disposal of all waste located outside permitted limits of waste placement.

The owner/operator indicated that an updated financial assurance instrument was not sent to Ohio EPA as required.

JB:cl