



State of Ohio Environmental Protection Agency

Northeast District Office

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

May 11, 2007

RE: **LORDSTOWN CONSTRUCTION  
RECOVERY C&DD LANDFILL  
NOTICE OF VIOLATION**

Tim Page  
Lordstown Construction Recovery  
6205 Newton Falls-Bailey Road SW  
Lordstown Village, OH 44481

Dear Mr. Page:

On May 4, 2007, I conducted a partial inspection of the Lordstown Construction Recovery C&DD Landfill (LCR), located at 6205 Newton Falls-Bailey Road SW in Trumbull County. Mark Schmidt and Tim Wirtz, representing LCR, accompanied me during the inspection. Also accompanying me during the inspection were Jerry Weber, representing the Ohio Environmental Protection Agency (Ohio EPA), Kevin Francis, representing the Trumbull County Health Department, and Jim Dobson from Girard Health Department. Weather conditions were sunny with temperatures around 65<sup>o</sup> F.

The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) Sections 3714. and 3734., and Ohio Administrative Code (OAC) Chapters 3745-400 and 3745-27. The facility's unloading zone and working face were the only part of the facility inspected on this date. The following violation was identified during the inspection:

**Acceptance of Pulverized Debris:** During the inspection on May 4, 2007, at least one load of pulverized debris which was unidentifiable as construction and demolition debris (C&DD) was brought to the unloading zone from the railcar unloading area. The load was a portion of the contents of the railcar. Portions of the material in the railcar had already been rejected by the operator. The following is a picture taken on May 4, 2007 of the load of unidentifiable material in the unloading zone.



The owner and operator of the facility is in violation for accepting pulverized debris at the facility. Specifically, accepting pulverized debris is a violation of the following:

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

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

Please submit documentation of the removal and proper disposal of the material observed on May 4, 2007, from the unloading zone.

The following observations were made during the May 4, 2007 inspection:

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- Seven pickers were removing solid waste from the working face and unloading zone. The working face measured approximately 75 feet by 20 feet.
- Prohibited solid waste observed by Ohio EPA while walking the length of the working face include the following: one yogurt cup, three beverage containers, three magazines, two 1" – 2" stack of billing records/receipts, and one starter fluid can. The items listed here were removed upon Ohio EPA's request during the inspection.

The owner or operator 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 violations listed above have been corrected, and what measures will be implemented in the future to prevent recurrence of these violations.

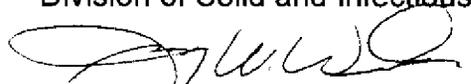
Failure to correct the above violations and operate this facility in accordance with all applicable state laws and rules may result in escalated enforcement action being taken against the owner or operator of this facility by Ohio EPA.

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 LCR, 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) 963-1257, or e-mail me at "[katharina.snyder@epa.state.oh.us](mailto:katharina.snyder@epa.state.oh.us)."

Sincerely,

  
Katharina Snyder  
Environmental Specialist  
Division of Solid and Infectious Waste Management

  
Jerry Weber  
Environmental Specialist  
Division of Solid and Infectious Waste Management

KS:cl

cc: Kevin Francis, Trumbull County Health Department  
File: [Tukel/CONS/LCR-LaFarge/COR/78]