



State of Ohio Environmental Protection Agency

Northeast District Office

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June 27, 2007

CERTIFIED MAIL

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

**RE: Countywide RDF, Stark County
Ongoing Notice of Violation/Partial Inspection Report**

Dear Mr. Vandersall:

On May 11, June 1, and June 7, 2007, I conducted partial inspections of the Countywide RDF, located at 3619 Gracemont Street S.W., East Sparta in Stark County, Ohio. Accompanying me during the inspections were Michael Contestabile of Cornerstone Environmental Group on May 11, 2007; Michael Beaudoin of EarthTech, Todd Hamilton of Countywide RDF, Lynn Sowers of Ohio EPA and Judy Bowman of Ohio EPA on June 1, 2007; and Mr. Contestabile on June 7, 2007. Mr. Beaudoin and Mr. Contestabile also assisted me during the files/records reviews. Weather conditions on May 11, 2007, were partly sunny with temperatures around 80° F; on June 1, 2007, were mostly cloudy with temperatures around 85° F; and on June 7, 2007, were mostly sunny with temperatures near 90° F.

The purpose of the partial inspections was to evaluate compliance with portions of 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 and the files/records kept as required by the F&Os were reviewed on these dates.

On May 11, 2007, sections 4.A.1 through 4.A.13, 4.B through 4.E, and 5.A through 5.C of the F&Os were reviewed for completeness. On June 1, 2007, sections 1, 2.A and 2.B, 3, 4.A.1 through 4.A.13, 4.B through 4.E, and 5.A through 5.C were reviewed for completeness. On June 7, 2007, sections 4.A.1 through 4.A.13, 4.B through 4.E, and 5.A through 5.C were reviewed for completeness. All documents expected to be maintained in accordance with the F&Os appeared to be present. In addition, this review did not include a qualitative review of the data contained therein. On June 1, 2007, it was identified that unofficial air sampling and leachate data were available for our review but not yet ready for submittal to Ohio EPA per the F&Os.

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Mr. Contestabile accompanied me on a drive-through of the original 88-acres on May 11, 2007. Mr. Hamilton accompanied Judy Bowman, Lynn Sowers and myself through the expansion 170-acres and the original 88-acres on June 1, 2007. At the time of the inspections no off-site odor complaints were brought to Ohio EPA's attention.

The following ongoing 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."*

The Director of Ohio EPA has determined that a fire is occurring at Countywide RDF, as detailed in the F&Os dated March 28, 2007. OAC rule 3745-27-19(E)(3)(a) requires Countywide to "act immediately to control or extinguish fire." Countywide RDF continues to be 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, Ohio EPA acknowledges that Countywide RDF has entered into F&Os with the Director that require the facility to undertake actions necessary to develop the remedy for this violation and further set forth a schedule to attain compliance with OAC rule 3745-27-19(E)(3)(a). In light of this circumstance, Countywide RDF will remain in violation of OAC rule 3745-27-19(E)(3)(a) until the fire is extinguished. Although Countywide RDF is undertaking extensive efforts to comply with the F&Os, in the event that Countywide RDF falls delinquent in its performance under the F&Os, 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
Ed Gortner, DSIWM-CO
File: [Sowers/Land/Countywide RDF/Cor/76]

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