



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

February 21, 2007

RE: COUNTYWIDE LANDFILL
NOTICE OF VIOLATION (NOV)

CERTIFIED MAIL

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

Dear Mr. Vandersall:

On November 2, 2006, Ohio EPA Division of Hazardous Waste Management (DHWM) Northeast District Office (NEDO) issued a NOV to Clean Harbors Environmental Services, Inc., 2900 Rockefeller Ave., Cleveland, OH 44115, for accepting and processing five (5) 55-gallon drums of a waste corrosive liquid (D002, D007, D008, F006) and disposing hazardous waste sludges (F006) at Countywide RDF. The hazardous waste sludge was shipped to Countywide RDF in a roll-off box on September 11, 2006, and was incorrectly listed as a non-hazardous waste filter cake.

On October 3, 2006, Clean Harbors informed Ohio EPA and Countywide RDF that they had inadvertently processed a waste corrosive liquid and disposed the listed hazardous waste filter cake (F006) at Countywide RDF.

The acceptance of hazardous waste at a solid waste disposal facility is a violation of the following:

ORC 3734.02(F) *"No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it..."*

OAC 3745-27-19(E)(8)(c) *"The owner or operator shall not accept for disposal or dispose of any of the following materials at a sanitary landfill facility:...Materials that are defined as hazardous wastes pursuant to rule 3745-51-03 of the Administrative Code."*

OAC Rule 3745-27-19(B)(1) *"The owner or operator shall conduct all operations at a sanitary landfill facility in strict compliance with the terms and conditions of the solid waste disposal license issued for the facility in accordance with Chapter 3745-37 of the Administrative Code"*

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OAC Rule 3745-27-19(B)(2) *“The owner or operator shall conduct all construction and operation at a sanitary landfill facility in strict compliance with the applicable authorizing document(s), including permit(s) to install, a plan approval, an operational report, an approved final closure plan, an alteration(s) concurred with in writing by Ohio EPA, or any authorizing document(s) listed in paragraph (I) of rule 3745-27-09 of the Administrative Code....”*

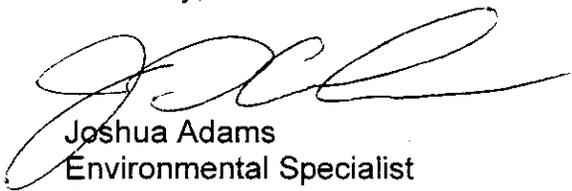
OAC Rule 3745-27-19(L) *“...the owner or operator shall implement a written program at the sanitary landfill facility with procedures that are sufficient to detect and prevent the disposal of regulated hazardous wastes as defined in rule 3745-51-03 of the Administrative Code....”*

Please continue to coordinate with the Ohio EPA in your efforts to address these violations.

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 American Landfill, Inc., 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 contact me at (330) 963-1103.

Sincerely,



Joshua Adams
Environmental Specialist
Division of Solid and Infectious Waste Management

JA:cl

cc: Nyall McKenna, DHWM-NEDO
Kelly Jeter, DSIWM-CO
Kirk Norris, Stark County Health Department
File: [Sowers/Countywide/COR/76]

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Sent To Tim Vandersoll
Street, Apt. No.,
or PO Box No. Countywide Recycling + Disposal
City, State, ZIP+4