



State of Ohio Environmental Protection Agency

Northeast District Office

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

January 20, 2009

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

CERTIFIED MAIL

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

Dear Mr. Rager:

On January 12, 2009, 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) Sections 3714. and 3734., and Ohio Administrative Code (OAC) Chapters 3745-400 and 3745-27. The weather was overcast and breezy with a temperature of approximately 27° F.

This inspection focused on compliance with regard to the facility's working face, and an off site odor survey was conducted.

I was accompanied by Ron Rager and Brad Rea, representing A&L, during the inspection.

The following violation was observed during the inspection:

1. **Cliffing:** During this inspection it was observed that debris was being "cliffed" in the working face of the landfill. The cliffing of debris in the working face was initially observed from Black Road. The on site inspection verified that debris was being cliffed in the working face. Large piles of debris had been dozed downgradient into the working face, and they had not been spread or compacted. One pile of debris was cliffed, forming a vertical face.

A&L is in violation because it has failed to spread debris evenly over the working face and compact it to the smallest volume. This resulted in cliffing of the debris. A&L's failure to spread debris evenly over the working face and to compact it to the smallest practical volume, resulting in cliffing of debris, is a violation of the following:

- a. **OAC Rule 3745-400-11(F)(3)(c):** *"Once prohibited materials are removed, the owner or operator shall spread and compact the debris on the working face. When debris is deposited on the working face, it shall*

be spread evenly over the working face and compacted to the smallest practical volume."

- b. **OAC Rule 3745-400-11(F)(3)(d)**: *"Cliffing is prohibited. For the purpose of this rule, cliffing is the formation of an edge or cliff by the placement of debris to the working face without compacting."*

In order to return to compliance with all applicable laws and rules, the owner or operator must immediately spread debris evenly over the working face and compact it to the smallest practical volume to prevent the debris from being cliffed.

2. **Nuisance**: During this inspection, strong odors, most likely related to hydrogen sulfide gas based on the rotten egg odor, were emanating from the landfill. These odors were first detected on State Route 45 during an odor survey conducted around the perimeter of A&L. The odors ranged from a "1" out of "4" on an odor intensity scale just south of the entrance to the facility to a "2-2½" out of "4" at the entrance of the facility and just north of the entrance. A follow up odor survey was conducted with the owner or operator approximately 30-45 minutes following the initial odor detection. The odors were not detected on State Route 45 at that time, however, the odors were detected on the facility access road near State Route 45. Winds were out of the west/southwest during this inspection. The owner or operator of A&L failed to spread debris evenly over the working face and compact it to the smallest practical volume to prevent the debris from being cliffed, as described in violation number 1, above. Compaction of debris is an essential component in controlling the escape of hydrogen sulfide gases from a landfill. The owner or operator also conveyed that partial covering of the working face occurs on a daily basis, with the entire working face being completely covered on a weekly basis.

Considering the numerous complaints received recently, the community surrounding the landfill finds the odors are offensive to the senses and interfere with the comfortable enjoyment of life and property.

A&L is in violation because it has failed to eliminate the conditions leading to the generation of hydrogen sulfide gas, and to control the release of hydrogen sulfide gas. Failure to eliminate the conditions leading to the generation of hydrogen sulfide gas, and failure to control the release of hydrogen sulfide gas which has resulted in odors offensive to the senses and interference with the comfortable enjoyment of life and property of the surrounding community has resulted in a violation of the following:

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- a. **OAC Rule 3745-400-11(B)(15)**: *"The owner or operator shall not cause or allow operations to create a nuisance or health hazard from noise, dust, odors, and the attraction and/or breeding of birds, insects, rodents, and other vectors."*

In order to return to compliance with this rule, the owner or operator must immediately employ any and all measures necessary to eliminate the conditions leading to the generation of hydrogen sulfide gas, and to control the release of hydrogen sulfide gas from the landfill.

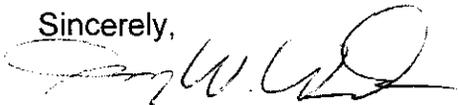
Please provide written notification to me within 15 days of receiving this letter which documents how the violations listed above have been corrected, and what measures will be implemented in the future to prevent any such recurrence of these violations.

Failure to correct the above violations and to operate this facility in accordance with all applicable state laws and rules may result in escalated enforcement actions 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."](mailto:jerry.weber@epa.state.oh.us)

Sincerely,



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

JWW:cl

ec: Darren Machuga, DAPC-NEDO cc: File:[Kurko/CONS/A&L Salvage/COR/15]
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