



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

July 14, 2009

**RE: CENTRAL WASTE, INC. LANDFILL
2008 ANNUAL REPORT
NOTICE OF DEFICIENCY
NOTICE OF VIOLATION**

CERTIFIED MAIL

Tom Johnson
Central Waste, Inc.
12003 Oyster Road
Alliance, OH 44601

Dear Mr. Johnson:

The Ohio Environmental Protection Agency (Ohio EPA) Northeast District Office (NEDO) has completed a review of the March 31, 2009 document titled *Annual Operational Report for 2008, Central Waste Landfill, March 2009* (Annual Report). The document was received on April 1, 2009. The report was prepared by Civil and Environmental Consultants, Inc. (CEC) on behalf of Central Waste, Inc. (CWI) for the Central Waste Landfill, located at 12003 Oyster Road, Smith Township, Mahoning County.

Ohio EPA has identified the following violations:

1. *OAC 3745-27-19(M)(4): The annual operational report shall include the following information...summary of the quantity of leachate collected for treatment and disposal on a monthly basis throughout the year, location of leachate treatment and disposal, and verification that the leachate management system is operating in accordance with OAC 3745-27-19.*

Section 15 of the annual report did not contain information regarding the location of treatment and disposal for leachate generated at the Central Waste Landfill in 2008. Also missing from the annual report was information about the annual inspection of the leachate collection system and verification that the system is operating in accordance with OAC 3745-27-19. Please provide this information.

2. *OAC 3745-27-19(M)(6): The annual operational report shall include the following information...the most recent updated final closure cost estimate, post-closure cost estimate, adjusted for inflation and for any changes in the estimates.*

Section 18 of the annual report indicates that the final closure estimate and post closure estimates of \$2,163,772 and 2,664,817, respectively, were only revised to reflect the annual inflation factor of 2.9%.

- a. Removal of Uncertified Defective Final Cover System Components for Worst-Case Scenario: CWI currently has no final cover system certified, and a portion of final cover system constructed during 2008 cannot be certified as-is and must have geosynthetics removed and disposed, with new geosynthetics installed. Line items are provided for these activities in the estimate, but no quantities are provided. It is also not clear whether the disposal costs for used geosynthetics are incorporated into the removal costs. Please provide the appropriate quantities and a rationale for the unit costs provided. Please revise the financial assurance cost estimate to account for restoration of the final cover system for all areas containing waste that must be covered should the landfill undergo premature closure.

No other violations were identified in the review of the report: The document was received April 1, 2009, as prescribed by rule. Please note that PTI 02-14224, issued March 1, 2005, identifies "top of waste" grades as depicted on Sheet 4E as containing daily cover and waste, and contains provisions for a 12 inch intermediate cover layer above the top of waste grade. Therefore CWI could have elevations above "top of waste" grades that contain only soil materials.

Ohio EPA has identified the following technical deficiencies:

1. OAC 3745-27-19(M)(1): *The annual operational report shall include the following information...a topographic map aerial extent of each phase constructed, final and interim cover placement, current working phase, and a comparison of actual vertical and horizontal limits to applicable authorizing documents.*

Section 14 contains the topographic map (Drawing 1) and a site map (Drawing 2) which was submitted to satisfy the requirements of OAC 3745-27-19(M)(1). Drawing 2 depicts that in 2009 CWI plans to work in all of Phases 4, 5 and 6. This is not consistent with the phasing diagrams prescribed by Permit 02-14224, as amended by the July 17, 2007 alteration approval and observations made by Ohio EPA since January 2009. CWI is currently working in Phase 4/5, and will utilize airspace in Phase 4 only in areas across the very top of the phase. Please revise Drawing 2 to reflect only those portions of Phase 4 that CWI anticipates to use in 2009, and that are consistent with the approved phasing drawings in CWI's authorizing documents.

2. OAC 3745-27-19(M)(6): *The annual operational report shall include the following information...the most recent updated final closure cost estimate, post-closure cost estimate, adjusted for inflation and for any changes in the estimates.*

The final closure estimate and post closure estimate are \$5,432,236 and \$5,622,851, respectively.

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Central Waste, Inc.
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- a. Estimated Acreage for Worst-Case Scenario: Unit costs for some items remain the same as the 2007 estimate without being increased for inflation for 2007. All line items were increased for inflation for 2008. Please revise the financial assurance cost estimate to account for inflation for both 2007 and 2008 where unit costs are projected to remain unchanged.
- b. Post-Closure Care Estimate: It is not clear whether the post-closure care estimates include monitoring ground water for wells that are currently in assessment monitoring under OAC 3745-27-10. Please revise the estimate to indicate wells that are in assessment and adjust the estimates accordingly.

Please submit a response to this letter by August 14, 2009.

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 Entity 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 for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions concerning this letter, please contact me at (330) 963-1257.

Sincerely,



Katharina Snyder
Division of Solid and Infectious Waste Management

KS:cl

cc: Mary Helen Smith, Mahoning County Health Department
File: [Sowers/LAND/Central Waste/ANN/50]

Proj ID # 2467

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<p>2. Article Number (Transfer from service label) <i>7008 3230 0003 5419 7242 K. Snyder 7/14/09</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>