



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

June 25, 2009

RE: 2008 ANNUAL REPORT  
AVON LAKE MUNICIPAL LANDFILL  
NOTICE OF VIOLATION

**CERTIFIED MAIL**

Mr. Thomas E. Lescher  
Service Director  
City of Avon Lake  
750 Avon Belden Rd.  
Avon Lake, Ohio 44012

Dear Mr. Lescher:

The Ohio Environmental Protection Agency (Ohio EPA) has received the 2008 Annual Post-Closure Report for the closed Avon Lake Landfill located in Avon Lake, Lorain County. This document was received by the Northeast District Office (NEDO) on April 8, 2009.

The technical aspects of the 2008 Annual Post-Closure Report have been reviewed by Ohio EPA to determine compliance with Rule 3745-27-14(A)(6) of the Ohio Administrative Code (OAC). The following violation was noted during the review:

**OAC Rule 3745-27-14(A)(6)**, states that post closure care activities include submitting *a report to the appropriate Ohio EPA district office and approved health department and placing a copy into the operating record not later than the first day of April of each year*"

The owner/operator is not in compliance with this rule because the 2008 Annual Post-Closure Report was received at Ohio EPA, Northeast District on April 8, 2009. Ohio EPA is not requesting any further information at this time. However, please take the necessary steps to ensure that the annual report is submitted per the rule next year.

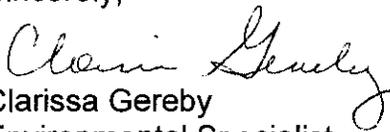
Based on a review of the submittal, it was noted that the post-closure care cost estimate for Avon Lake Landfill is \$768,498.98, adjusted for the 2.1 % inflation factor.

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 Act or the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Mr. Thomas E. Lescher  
City of Avon Lake  
June 25, 2009  
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If you have any questions regarding this review, please do not hesitate to call me at (330) 963-1224, or e-mail me at "clarissa.gereby@epa.state.oh.us".

Sincerely,

  
Clarissa Gereby  
Environmental Specialist  
Division of Solid & Infectious Waste Management

CG:cl

cc: Fanny Haritos, DSIWM, CO  
Fleming Mosely, Lorain City Health Department  
File: [Kurko/LAND/AVON LAKE LF/ANN/47]

Project # 2392

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*C. B.*  
*6-26-09*

Sent to  
*Thomas E. Lescher*  
 Street, Apt. No.,  
 or PO Box No. *City of Avon Lake*  
 City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

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1. Article Addressed to:

Mr. Thomas E. Lescher  
 Service Director  
 City of Avon Lake  
 750 Avon Belden Rd.  
 Avon Lake, Ohio 44012

2. Article Number

(Transfer from service label)

*70083230 000354197204 C. Lescher*

PS Form 3811, February 2004

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*D. Phelps*

Agent

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