



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

March 5, 2008

RE: **BFI LORAIN COUNTY II LANDFILL
LORAIN COUNTY
NOTICE OF VIOLATION**

CERTIFIED MAIL

Elena Goodhall
Browning-Ferris Industries of Ohio, Inc.
Environmental Manager
43502 Oberlin-Elyria Rd.
Oberlin, Ohio 44074

Dear Ms. Goodhall:

On February 6, 2008, Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste (DSIWM), Northeast District Office (NEDO) was notified by Chris Jaquet, Environmental Manager of Lorain County II Landfill, that non-conforming waste material was allegedly disposed of at the landfill. This verbal communication was followed up by a February 8, 2008, letter from Chris Jaquet. Since then it was verified that four steel drums containing hazardous waste from Day Glo Color Corporation (Day Glo) were disposed of at the landfill.

BFI Lorain II Landfill accepted the hazardous waste at the facility on February 1, 2008. The manager of Day Glo notified Allied Waste of the incident on the same day (February 1, 2008). Since then the location of the hazardous waste placement was staked off and an attempt at removal of the disposed hazardous waste was undertaken during the week of February 25th at the facility.

It was determined that the following violations occurred at the Lorain County Landfill:

Ohio Revised Code (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 Rule 3745-27-19(E)(8)(c): *"Disposal restrictions. The owner or operator shall not accept for disposal or dispose of any of the following materials at a sanitary landfill facility:*

(c) Materials that are defined as hazardous wastes pursuant to rule 3745-51-03 of the Administrative Code.

Elena Goodhall
Browning-Ferris Industries of Ohio, Inc.
March 5, 2008
Page 2

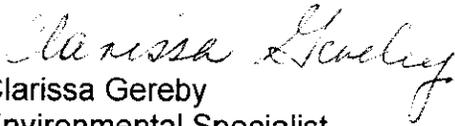
OAC Rule 3745-27-19(L)(5)(a): *"...notifying Ohio EPA and the approved health department within twenty-four hours by phone, and within seven days in writing, of the discovery of regulated hazardous wastes or PCB wastes at the facility."*

The hazardous waste was placed in the landfill on Friday, February 1, 2008. Notification was given by phone to Ohio EPA, DSIWM on February 6, 2008. Given the weekend, at the latest, the notification time limit elapsed by the end of the working day on Monday, February 4, 2008.

Please respond in writing and provide the corrective action report to this office within 15 days of receipt of this letter.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations except as specified herein. This letter shall not be interpreted to release the owner or operator from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, 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. If you have any questions regarding this correspondence, please contact me at (330) 963-1224.

Sincerely,


Clarissa Gereby
Environmental Specialist
Division of Solid & Infectious Waste Management

CG:cl

cc: Katharina Snyder, DSIWM, NEDO
Colum McKenna, DSIWM, NEDO
Karen Nesbit, DHWM, NEDO
Chris Jaquet, Environmental Manager, Lorain Co. Landfill
Alvie Green, Division manager, Lorain Co. Landfill
John Sabo, Lorain County Health Department
File: [Tukel/LAND/BFI Lorain County II Landfill/ CORR/47]

7004 2510 0005 6521 5940

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL

Postage	\$	Postman here 38-5-08 3-5-08
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: *Elena Goodhall*
 Street, Apt. No.,
 or PO Box No. *BFI 7 Ohio*
 City, State, ZIP+4 *43502 Oberlin Elyria OH*

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Elena Goodhall
 Browning-Ferris Industries of Ohio, Inc.
 Environmental Manager
 43502 Oberlin-Elyria Rd.
 Oberlin, Ohio 44074

2. Article Number
 (Transfer from service label) *FILE [HAND/RFI/0005/0000/47]*
7004 2510 0005 6521 5940C. Handby 3-5-08

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Colleen King Addressee

B. Received by (Printed Name) *COLLEEN KING* C. Date of Delivery *3-4-08*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes