



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

February 6, 2008

RE: NOTICE OF VIOLATION  
DISPOSE ALL LANDFILL  
COLUMBIANA COUNTY

**CERTIFIED MAIL**

Jim Pusateri  
Dispose All Refuse, Inc.  
P.O. Box 2136  
East Liverpool, Ohio 43920

Dear Mr. Pusateri:

On January 17, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a comprehensive inspection of the closed Dispose All Landfill (Dispose All), located on Dormont Drive in Madison Township, Columbiana County, Ohio. The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) Chapter 3734. and Ohio Administrative Code (OAC) Chapter 3745-27, with regard to municipal solid waste landfills. The weather was overcast and cold with a temperature of approximately 30° F. The landfill had a shallow snow covering on it. No one representing the facility owner or operator was present during this inspection.

No violations were observed during this inspection. The following observations were made:

1. The groundhog holes observed during the last inspection appeared to have been repaired.
2. It appeared that horses had recently been on the landfill. Horse hoof prints were observed at various locations around the landfill, and they appeared to be fairly fresh.

The following violation continues to be documented for the facility:

1. **Order Number 1 of Director's Final Findings & Orders (DFF&Os) dated July 16, 2002**, which states, "*Respondent (Dispose All) shall achieve compliance with ORC Chapter 3734. and the regulations promulgated thereunder according to the following compliance schedule...Within 30 (thirty) days after the effective date of these Orders, Respondent shall submit an Explosive Gas Monitoring Plan that complies with OAC Rule 3745-27-12.*"

Jim Pusateri  
Dispose All Refuse, Inc.  
February 5, 2008  
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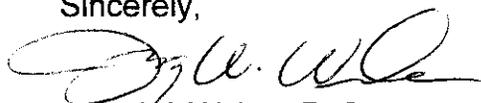
Dispose All is in violation of this rule. Dispose All submitted an Explosive Gas Monitoring Plan within 30 days after July 16, 2002, the effective date of these Orders, however, the plan did not comply with OAC Rule 3745-27-12. Ohio EPA issued a Notice of Deficiency (NOD) detailing deficiencies found in the plan submitted on February 19, 2004. The NOD required deficiencies of the plan to be addressed within 30 days. Dispose All responded to the NOD in a submittal dated November 28, 2007. Ohio EPA has not yet reviewed the November 28, 2007, submittal to determine if all deficiencies have been addressed and if the submittal complies with OAC Rule 3745-27-12 as required by the DFF&Os.

In order to return to compliance with this rule, the owners of this facility must submit an Explosive Gas Monitoring Plan which complies with OAC Rule 3745-27-12. Ohio EPA will notify Dispose All immediately upon determining if the current submittal of the Explosive Gas Monitoring Plan complies with OAC Rule 3745-27-12 as required by the DFF&Os.

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 Dispose All, 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

cc: John Hujar, DSIWM-NEDO  
Robert Morehead, Health Commissioner, Columbiana County General Health  
District  
File: [Tukel/LAND/Dispose All/COR/15]

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