



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 4, 2008

RE: **NOTICE OF VIOLATION
EXPLOSIVE GAS MONITORING RESULTS
A&L SALVAGE C&DD LANDFILL**

CERTIFIED MAIL

Mr. Stephen M. Callahan
Director of Operations
A&L Salvage LLC
PO Box 333
Lisbon, Ohio 44432

Dear Mr. Callahan:

The Ohio Environmental Protection Agency (Ohio EPA) has received the results from explosive gas monitoring conducted by the A&L Salvage, LLC C&DD Landfill (A&L) on January 17, 2008. The results, contained in the document, dated January 25, 2008, were received by Ohio EPA on January 28, 2008.

The following violation was documented upon review of the above listed explosive gas monitoring report for A&L:

1. **Explosive Gas Monitoring.** In accordance with Attachment 4, page 12 of A&L's approved Final Closure/Post-Closure Plan, the facility shall conduct gas monitoring using a MSA Model 2A Analyzer, or equivalent. Attachment 4, appendix F, specifies that A&L will utilize a MSA Model 2A Analyzer to conduct gas monitoring in accordance with the approved closure/post-closure plan. A&L's January 17, 2008, explosive gas monitoring report, as well as each monitoring report for each monitoring event dating back to June 26, 2007, indicates that A&L is utilizing a QRAe Plus gas monitor and/or a MSA Model 62S gas monitor to conduct gas monitoring, not a MSA Model 2A, as specified in the Final Closure/Post-Closure Plan.

The owner and operator of A&L are in violation because they have failed to strictly follow the facility's approved Final Closure/Post-Closure Plan and Director's Final Findings & Orders dated April 16, 2007 (DFF&Os). A&L's failure to strictly follow its approved Final Closure/Post-Closure Plan and the DFF&Os is a violation of the following:

- a. **Director's Final Findings and Orders dated March 1, 2005.** Order Number 11 states, *"There may be no deviation from the requirements specified in the 2006 Final Closure/Post-Closure Plan and these Orders without the express, written approval of Ohio EPA. Any deviation from the 2006 Final Closure/Post-Closure Plan or these Orders may lead to such sanctions and penalties as provided under Ohio law. Compliance with the 2006 Final Closure/Post-Closure Plan or these Orders does not constitute an assurance that A&L will operate the Facility in compliance with all Ohio laws and regulations."*

Mr. Stephen M. Callahan
A&L Salvage LLC
March 4, 2008
Page 2

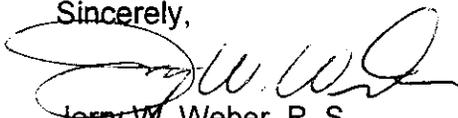
- b. **Ohio Administrative Code Rule 3745-400-11(B)(1)**: *"The owner or operator shall conduct all operations at the facility in strict compliance with the license, any orders, and other authorizing documents issued in accordance with Chapter 3714. of the Revised Code."*
- c. **Ohio Revised Code (ORC) Section 3734.11(a)**: *"No person shall violate any section of this chapter, any rule adopted under it, or any order issued under section 3734.13 of the Revised Code."*
- d. **ORC Section 3714.13(c)**: *"No person shall violate an order issued under this chapter..."*

In order to comply with the facility's Final Closure/Post-Closure Plan, the DFF&Os, and all applicable laws and rules, A&L must immediately either conduct explosive gas monitoring at its facility in accordance with its approved Final Closure/Post-Closure Plan, or apply for and receive approval for an alteration to the approved Final Closure/Post-Closure Plan in accordance with 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 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."

Sincerely,



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

JWW:cl

cc: Bruce McCoy, DSIWM-CO
Robert Morehead, Columbiana County Health Department
Nicholas Bryan, AGO
File: [Tukel/CONS/A&L Salvage/COR/15]

Project ID: 1303

7004 2510 0002 0844 2849

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

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

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

Postage	\$	<i>prop 1303</i>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Postmark
Here:
3-4-08

Send To: *Steve Callahan*

Street, Apt. No.,
or PO Box No.: *Apt L*

City, State, ZIP+4: