



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

December 21, 2007

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:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed the report from Steven H. White & Associates, Inc. regarding the management of waste from Semper Quality Industries (Semper), located in Mentor, Ohio. The report is dated December 3, 2007, and was received by Ohio EPA on December 4, 2007. The report was submitted on behalf of Browning Ferris Industries of Ohio, Inc. (BFIO).

Upon review, it appears that BFI Lorain II Landfill has accepted D001 hazardous waste "still bottoms" from Semper on several occasions between December 21, 2006 and March 2, 2007. According to the report, the waste was transferred from Semper to Glenwillow Transfer facility, located in Cuyahoga County, to other vehicles that disposed of the waste at either Lorain County Landfill or Carbon Limestone Landfill. On the days that Glenwillow Transfer Station received waste from Semper, approximately seventy percent (70%) of the volume of waste was transferred to Lorain County Landfill.

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(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.*

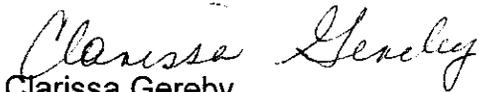
Elena Goodhall  
Browning-Ferris Industries of Ohio, Inc.  
December 21, 2007  
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Please respond in writing within 15 days of receipt of this letter on how the above violations will be corrected.

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  
Chris Jacquet, 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/ COR/47]

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

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Certified Fee	
Enclosed Postage Fee (Enclosed postage required)	
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<b>Total Postage &amp; Fees</b> \$	

Sent To: *Elena Goodhall*

Street, Apt. No.,  
or PO Box No.: *Lorain Co II*

City, State, ZIP+4:

PS Form 3800, January 2001 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:

Ms. Elena Goodhall  
 District Environmental Manager  
 Allied Waste, Inc.  
 Lorain County II Landfill Office  
 43502 Oberlin-Elyria Road  
 Oberlin, Ohio 44074

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*Colleen King*

B. Received by (Printed Name) C. Date of Delivery  
*Colleen King* *1/27/08*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:  
*43502 Oberlin Elyria*

3. Service Type  
 Certified Mail  Express Mail  
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 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label) *7002 0510 0000 7692 3585 C. Goodhall 12-27-07*