



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

February 25 2009

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

CERTIFIED MAIL

Chris Jaquet
Environmental Manager
BFI Lorain County II Landfill
43502 Oberlin-Elyria Rd.
Oberlin, Ohio 44074

Dear Mr. Jaquet:

On February 3, 2009, an inspection was conducted at the BFI-Lorain II Landfill in Lorain County by John Sabo, from the Lorain County Health Department and me. Rick Kostelnick was present during the field inspection and you, Rick Kostelnick and Dan Brotherton were present during the remainder of the inspection. The inspection included a review of the facility's compliance with the conditions of the December 4, 2007 Alternative Daily Cover approval, and the orders in the August 22, 2008 Director's Final Findings and Orders.

During the inspection it was determined that the facility was in violation of condition #10 of the December 4, 2007 Alternative Daily Cover (ADC) approval, which states "The use and location of Fabrene L257 shall be documented on the required Municipal Solid Waste Landfill Daily Log of Operations, Form 3 on each day it is used as ADC material. This documentation shall also include a map that shows where and when Fabrene L257 was utilized as alternative daily cover material relative to the working face."

It was noted that maps were not provided that identify the location of the use of the alternative daily cover. In order to correct this violation, from this time forward a map identifying the location of the alternative daily cover use should be included with the daily log of operations for every day the ADC is utilized.

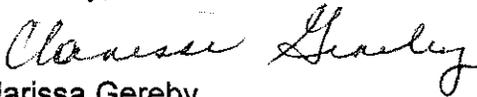
Please submit a written response within 14 days of the receipt of this NOV. The response should identify the step(s) taken to regain compliance. If you have any questions regarding this correspondence, please contact me at (330) 963-1224.

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.

Chris Jaquet
BFI Lorain County II Landfill
February 25, 2009
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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.

Sincerely,



Clarissa Gereby
Environmental Specialist
Division of Solid & Infectious Waste Management

CG:cl

cc: John Sabo, Lorain County Health Department
New Russia Township Trustees
File: [Kurko/Land/BFI Lorain County II Landfill/Cor/47]

2346

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 or PO Box No. BFI Lorain County II
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PS Form 3800, August 2006

See Reverse for Instructions

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1. Article Addressed to:

Chris Jaquet
 Environmental Manager
 BFI Lorain County II Landfill
 43502 Oberlin-Elyria Rd.
 Oberlin, Ohio 44074

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