



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

**Re: Notice of Violation
Defiance County Landfill**

September 28, 2010

Defiance County Commissioners
500 Court Street
Defiance, OH 43512

Dear Commissioners:

On November 10, 2009, the Ohio Environmental Protection Agency (Ohio EPA) became aware of the acceptance of hazardous waste at the Defiance County Landfill, through correspondence between Hoehn Cabinets Inc., located in Ottoville, Ohio, and Ohio EPA, Division of Hazardous Waste Management (DHWM). During a November 10, 2009, compliance evaluation inspection performed by Ohio EPA, DHWM, at Hoehn Cabinets, it was discovered that Hoehn Cabinets was cleaning their paint spray gun by using lacquer thinner and continually reusing the thinner. A sludge eventually would build up in the bottom of the solvent reuse bucket, which was a listed hazardous waste (F005). The sludge was then placed into a five gallon bucket, which was eventually placed into a dumpster. The dumpster was picked up by Porter Sanitation and hauled to the Defiance County Landfill for disposal. As a listed hazardous waste the sludge should have been managed by the generator as a hazardous waste.

OAC Rule 3745-27-19(E)(8)(c) states, in pertinent part, *"The owner or operator shall not accept for disposal or dispose of any of the following materials at a sanitary landfill facility . . . materials that are defined as hazardous wastes pursuant to rule 3745-51-03 of the Administrative Code . . ."*

The owner/operator of the Defiance County Landfill is therefore in violation of OAC Rule 3745-27-19(E)(8)(c).

If you have any questions, please contact me at (419) 373-4114.

Sincerely,

Brent Goetz, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management
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pc: Tim Houck, Defiance County Landfill
James Moseley, Mannik & Smith Group, Inc.

~~Files Defiance County, Defiance Co. Landfill, Correspondence~~

ec: Mike Reiser, DSIWM, NWDO
Colleen Weaver, DHWM, NWDO