



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Defiance County Landfill
Inspection

December 16, 2008

Defiance County Commissioners
500 Court Street
Defiance, Ohio 43512

Dear Commissioners:

On November 25, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) conducted an inspection of the Defiance County Landfill (facility). This inspection was conducted in accordance with Ohio Administrative Code (OAC) Rule 3745-37-08(C)(6). The purpose of the inspection was to verify compliance with OAC Chapter 3745-27 and the approved Permits to Install No. 03-8986 and 03-16690. June Crosser represented the facility during the inspection. Sue Hardy of Ohio EPA was also present. The findings of the inspection were also discussed with Tim Houck upon completion.

This letter is intended to:

- Describe my observations of the facility,
- Notify the owner/operator of any violations of the rules identified,
- Detail the actions the owner/operator must take to correct the violations, and
- Discuss other Ohio EPA recommendations and comments.

Description of Ohio EPA's observations of the facility:

The required daily log of operation was reviewed. Daily logs required by OAC Rule 3745-27-19(E)(10) include the yearly cover sheet (Form 1), the records of the weights of waste received (Form 2), the daily facility inspection checklist (Form 3), and the required weekly surface water structure inspection documentation (Form 4). Incoming waste logs were reviewed through November 24, 2008 and appeared properly completed. Completed daily inspection checklists were available for inspections completed through November 22, 2008. Documentation of weekly surface water inspections conducted through November 21, 2008 was also reviewed.

The PCB/hazardous waste prevention and detection program inspection logs were not reviewed during this inspection.

The weather at the time of the inspection was cool and overcast with a brisk west wind.

Minor amounts of blown litter were observed in the areas of the facility inspected.

Unit 2 - BAT/South Expansion Area

Placement of select waste has been completed in Phase 2A of Unit 2. Select waste placement in Phase 2B appeared to be about three-fourths complete. The working face was located in the western portion of Phase 2B and was well-confined. No prohibited materials were observed.

Flagging of waste was observed in the daily cover that had been applied over the select waste in Phase 2A. Ms. Crosser stated that six litter pickers had been working in this area earlier in the day. Soil for use as cover was being hauled to the area at the time of the inspection. Waste that was not appropriate for use as select waste was disposed in the southeast corner of Phase 1A.

The intermediate cover on the western two-thirds of Phase 1A was excellent. No flagging waste was noted in this area. Some flagging of waste was observed in the eastern third of the phase. Flagging was also observed on the south slope of Phase 1A. Minor flagging of waste was noted in the intermediate cover in Phase 1B. Ms. Crosser stated that areas would be picked and back-bladed when soil and weather conditions permit.

Unit 1 - Old/North Area of the Landfill

The intermediate cover at the top of Phase 4 appeared adequate. No flagging of waste was noted in this area. The area had been regraded to eliminate the ponded water observed during the last inspection. Ms. Crosser stated it was anticipated disposal activities would move back into this area after the soil freezes. The intermediate cover on the north and west slopes of Phases 3 and 4 also appeared adequate. Flagging waste was noted on the lower south slope Unit 1. Ms. Crosser stated the area had been back-bladed and picked and that she planned to have the litter crew work in this area again.

Notification of violations of Ohio laws and rules:

One violation continues at the facility:

1. The owner/operator remains in violation of OAC Rule 3745-27-19(B)(2), which states in pertinent part:

The owner or operator shall conduct all construction and operation at a sanitary landfill facility in strict compliance with the applicable authorizing document, including permit to install, . . .

for failing to construct final cover in Unit 1 in accordance with the phasing plan as detailed in PTI No. 03-8986.

Actions the owner/operator must take to correct the violations:

- Ensure that the owner/operator's schedule for construction of final cover and other engineered components and location for waste disposal is in compliance with the phasing plans that were approved in Permits to Install No. 03-8986 and 03-16690 OR request and obtain approval of an alteration to that permitted phasing plan if deviation from the phasing plans will be necessary.

Defiance County Commissioners
December 16, 2008
Page Three

Recommendations and other comments:

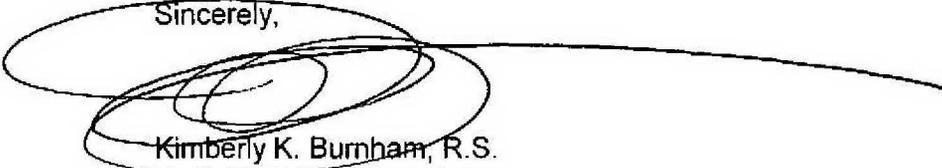
A. Ohio EPA received a revised phasing alteration request on December 3, 2008. The request is under review.

This correspondence addresses specific observations only for the areas of the Defiance County Landfill that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the facility at the time of inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734. and the rules promulgated thereunder, does not relieve the owner/operator of the Defiance County Landfill from their obligations to comply with other applicable state and federal laws and regulations.

Should you have any questions, please contact me at (419) 373-3049.

Sincerely,



Kimberly K. Burnham, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

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pc: Mr. Tim Houck, Defiance County Landfill
Kimberly Burnham, DSIWM, NWDO

~~File: Defiance County, Defiance County Landfill, Inspections~~

ec: Abdul Smiley, DSIWM, NWDO
Mike Reiser, DSIWM, NWDO