



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

Re: Defiance County Landfill  
Inspection

May 14, 2008

Defiance County Commissioners  
500 Court Street  
Defiance, Ohio 43512

Dear Commissioners:

On April 18, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), 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. Ms. June Crosser represented the facility during the inspection. Prior to the start of the inspection, Mr. James Moseley of The Mannik & Smith Group, Inc. detailed the owner/operator's construction plans for the year. Mr. Abdul Smiley of Ohio EPA was also present for this discussion.

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 for March 6 through April 17, 2008 and appeared properly completed. Completed daily inspection checklists were available on site for inspections completed through April 15, 2008. Documentation of weekly surface water inspections conducted from February 15 through April 7, 2008 was also reviewed.

The PCB/hazardous waste prevention and detection program inspection logs for March 4 through April 7, 2008 were reviewed. No issues were noted.

The weather at the time of the inspection was sunny and warm with a light south wind.

A minor amount of blown litter was observed in the areas of the facility inspected. Bags of litter that had been picked up were noted in several locations around the facility. Three litter pickers were on duty at the time of the inspection.

Unit 2 - BAT/South Expansion Area

All disposal activities were occurring in Phase 1A of Unit 2. The working face was located near the center of the cell and was well-confined. On the day before the inspection, mixed soil and waste from the east leachate collection trench excavation work near the toe of the south slope of Unit 1 had been piled on the top of the waste lift, north of the active working face. Although the excavated material did contain some soil, the quantity of soil was not sufficient to cover all exposed solid waste and no additional cover soils had been applied. See attached photo.

Most of the intermediate cover in the north and west portions of the cell appeared adequate. Some flagging of waste was noted on the south slope and in the southern portion of the "top" of the active waste lift. Ms. Crosser stated that soils would be added and the areas back-dragged as soon as the cover soils dried enough to allow equipment access.

Unit 1 - Old/North Area of the Landfill

Minor erosion was observed in several areas of Unit 1. Ms. Crosser stated that the facility has been repairing erosion as weather and soil conditions permit. Documentation of the repair work was noted in the daily log of operations forms on several occasions. In addition, soils had been staged near the top of the south and east slopes of Phase 4 for application when the slopes become accessible. Please ensure that the presence and repair of erosion continues to be documented in the facility's daily log as required by OAC Rule 3745-27-19(E)(11).

Soils had been added to the area of exposed waste at the top of Phase 4 that was found to lack intermediate cover during the January 25, 2008, inspection. All waste that had been exposed in this area appeared to have been adequately covered.

Some flagging of waste was observed in an area of intermediate cover near the top of the north slope of Phase 4. Ms. Crosser stated that there were sufficient soils at the top of Phase 4 so that some could be pushed down the slope to adequately cover the exposed waste.

Some ponded water was observed in the intermediate cover at the top of Phase 4. On April 22, 2008, Ohio EPA received photos via email that showed that the area had been regraded and the ponded water eliminated.

Several small leachate outbreaks were observed in Unit 1: two on the top of Phase 4 and several along the access road on the north side of the landfill. On April 22, 2008, Ohio EPA received photos via email that documented that the leachate outbreaks had been repaired.

A contractor was on site completing the excavation of and beginning installation of the pipe in the east leachate collection trench near the toe of the south slope of Unit 1.

**Notification of violations of Ohio laws and rules:**

One violation was identified during the inspection.

1. The owner/operator is in violation of OAC Rule 3745-27-19(F), which states in pertinent part:  
*Daily cover shall be applied to all exposed solid waste by the end of the working day . . .*  
for failing to cover the mixed soil and waste from the east leachate collection trench excavation work, that had been disposed in Unit 2 Phase 1A, by the end of the working day on April 17, 2008.

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

- Ensure that all solid waste is completely covered with daily cover by the end of each working day.
- Provide training or additional instruction to landfill employees that are responsible for daily cover application regarding the daily cover requirements.
- Within 30 days, send a written reply to my attention at the letterhead address that details how the owner/operator will correct/has corrected the violations. Include documentation of the training provided to employees in your response.

**Recommendations and other comments:**

- A. During the March 6, 2008, inspection, Ohio EPA noted: "Sub-grade preparations were underway in Phase 2B. Soil and solid waste removed from the area were being hauled to the working face for disposal. No exposed waste was noted in the daily cover over the previous day's work area." Most of the material removed from the Phase 2B area appeared to be soil, with minor amounts of solid waste mixed in. During that inspection, we discussed use of the material for cover and agreed that it appeared acceptable for use as such. The material removed from the east perimeter leachate trench appeared to contain much more solid waste than the Phase 2B prep spoils. The owner/operator will need to evaluate the suitability of mixed soil and waste from future such projects for use as cover on a case-by-case basis and add more soil if the mixture is not sufficient to fully cover all waste with a minimum of six inches of soil as required by OAC Rule 3745-27-19(F).
- B. The facility has made significant progress in the timeliness of their completion of Forms 3 (daily inspection) and 4 (weekly surface water inspection) of the required daily log of operations. Ohio EPA greatly appreciates the owner/operator's efforts and encourages the owner/operator to continue to look for ways to simplify the process to make it less burdensome on a day-to-day basis.

Defiance County Commissioners

May 14, 2008

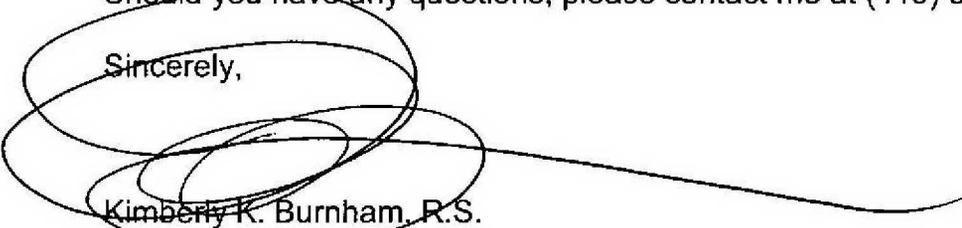
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This correspondence addresses specific observations only for the areas of the Defiance County Landfill that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the facility 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 w/enclosure  
Kimberly Burnham, DSIWM, NWDO  
~~File: Defiance County, Defiance County Landfill, Inspections w/enclosure~~  
ec: Abdul Smiley, DSIWM, NWDO

