



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Notice of Violation
Defiance County Landfill
Defiance County

April 26, 2007

Defiance County Commissioners
500 Court Street
Defiance, Ohio 43512

Dear Commissioners:

This correspondence is relative to an inspection of the Defiance County Landfill (Facility) conducted on April 17, 2007. E. Jay Murphy, Jeremy Scoles, Mike Reiser and I represented the Ohio Environmental Protection Agency (Ohio EPA) during the inspection. Tim Houck represented the facility. The results of the inspection are detailed below.

Ohio Administrative Code (OAC) Rule 3745-27-19(E)(7)(c) states in part,
The owner or operator shall confine unloading of waste materials to the smallest practical area(s).

1. At the time of inspection, the working face appeared to be slightly expansive. Please ensure that the working face is confined to the smallest practical area.

Ohio Administrative Code (OAC) Rule 3745-27-19(E)(9) states,

The owner or operator shall employ all reasonable measures to collect, properly contain, and dispose of scattered litter, including the use of portable wind screens where necessary and frequent policing of the area.

2. A significant amount of litter was noted at all portions of the facility, as well as in the surrounding woods and trees. Portable litter fences and permanent litter fences were in place but due to high elevation of the working face, litter appeared to become airborne and travel over the fences. The owner/operator of the Defiance County Landfill is in violation OAC Rule 3745-27-19(E)(9) for failure to employ all reasonable measures to properly contain the scattered litter.

It appears that while the working face is at this elevation, additional portable litter fences, additional permanent litter fences, higher permanent litter fences and more frequent collection of the scattered litter will be needed. During these conditions it may be prudent to employ more litter pickers when working at high elevations or in high wind conditions.

OAC Rule 3745-27-19(F) states,

Daily cover shall be applied to all exposed solid waste by the end of the working day to control fire hazards, blowing litter, odors, insects, vectors, and rodents. In no event shall solid waste be exposed for more than twenty-four hours after unloading. Daily cover material shall be non-putrescible, shall not contain large objects in such quantities as may interfere with its application and intended purpose, and shall not be solid waste, unless the owner or operator has received prior, written authorization in accordance with paragraph (f)(3)(a) of this rule.

3. At the time of our inspection, daily cover appeared to be adequate.

OAC Rule 3745-27-19(G)(1) states in part,

To minimize infiltration, the owner or operator shall apply intermediate cover to all filled areas of a sanitary landfill facility where additional waste is not to be deposited for at least thirty days..

4. Portions of intermediate cover were starting to show signs of partially flagging or blown litter. Please employ necessary measures to comply with intermediate cover requirements, including picking blown litter.

OAC Rule 3745-27-19(G)(4) states in part,

The owner or operator shall perform measures to protect the intermediate cover from erosion.

5. Many minor areas of erosion were noted at the facility. Please monitor all areas of the landfill and be proactive in detecting and repairing erosion rills.

OAC Rule 3745-27-19(K)(1) states,

If a leachate outbreak(s) occurs at the sanitary landfill facility, the owner or operator shall repair the outbreak(s) and do the following:

- (a) Contain and properly manage the leachate at the sanitary landfill facility.
- (c) Take action to minimize, control, or eliminate the conditions which contribute to the production of leachate.

6. No leachate outbreaks were noted at the time of inspection.

An administrative survey of the landfill records was conducted on this day. The daily log of operations form through March 31, 2007, the PCB/Hazardous Waste logs through March 31, 2007, and the weekly inspection checklist through March 29, 2007 were reviewed. All paperwork appeared to be acceptable.

Please respond in writing, to the notice of violation as outlined in Comment No. 2. In your response, please indicate the steps the owner/operator has taken to prevent these violations from occurring again.

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.

Defiance County Commissioners
April 26, 2007
Page 3

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

Please call me at (419) 373-3078 or if there are any questions regarding this specific correspondence.

Sincerely,



Tyler Madeker S.I.T.
Environmental Specialist II
Division of Solid and Infectious Waste Management

/csi

pc: Tim Houck, Landfill Manager
File: Defiance County, Defiance County Landfill, Inspections

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