OhioEPA
State of Ohio Environmental Protection Agency

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

Re: Inspection Results
Lafarge Corporation Landfill
Paulding County

June 30, 2009

Mr. Ben Fogle
Environmental Manager
Lafarge Corporation
P. O. Box 160
Paulding, Ohio 45879

Dear Mr. Fogle:

On June 17, 2009, I, along with Habib Kaake, Andy Drumm and Rick Mazur, represented the Ohio Environmental Protection Agency (Ohio EPA) and conducted an inspection of the Lafarge Corporation Landfill (Facility) for compliance with the residual waste regulations contained in Chapter 3745-30 of the Ohio Administrative Code (OAC). The Facility is currently classified as a Class III residual waste landfill. You represented the Facility during the inspection. The weather at the time of the inspection was cloudy and mild. Overnight rains provided moist conditions at the landfill.

An administrative survey of the Facility records was conducted. The daily, weekly and monthly inspection logs for March 23, 2009, through June 14, 2009, were inspected. Form 2 was complete in its entirety, as it now contains the daily amount of Cement Kiln Dust (CKD) disposed at the Facility, as populated by quarry personnel. Form 3, daily inspection checklist, was incomplete for April 24, 2009, and May 16, 2009. Please continue to ensure all personnel are aware of the importance of completing the inspections and properly completing the log.

Furthermore, please ensure the Facility map is utilized to document daily conditions at the Facility, such as identified erosion and overfills.

In addition, it was noted during the inspection that work order #065214 has been in place since January 2009 for the repair of erosion at the Facility. A note is made each month stating that the erosion will be "filled with clay as weather permits." Six months have passed since the work order has been issued. It is reasonably assumed that the erosion could have been corrected at some point over the last six months. Please repair the erosion identified by work order #065214 as soon as possible and send documentation to Ohio EPA indicating the erosion repair is complete.

In a May 3, 2007, letter from Ohio EPA, it was requested that the owner/operator provide a drawing of Phase 2 at an appropriate scale to allow for review. The drawing submitted within the 2006 annual report (AR) made it impossible to read the contours and, therefore, difficult to determine compliance with the permitted maximum elevation. The maximum permitted waste elevation is 750 feet. In the October 25, 2007, response to comments regarding the 2006 AR, the owner/operator states, "The scale and contour of the AR drawings are consistent with the approved plans in accord with the requirements of OAC Rule 3745-30-14(M)(1). In lieu of revised base maps, the facility will provide a supplemental Isopack of the active phase to facilitate comparison of the actual vertical and horizontal limits of emplaced waste to the authorized vertical and horizontal limits of waste placement."

Ohio EPA received the supplemental Isopack of the active phase on April 30, 2008. The investigation into existing intermediate cover, as reflected in the October 25, 2007, letter from the owner/operator, seems to indicate that the CKD elevation does not exceed 750 feet. However, the Isopack submitted on April 30, 2008, shows an overfill condition. In addition, during the inspection on May 6, 2008, you indicated that there were three areas of overfill on top of Phase 2. These overfills were indicated by blue flagged stakes. In accordance with OAC Rule 3745-30-14(B)(2), "the owner or operator shall conduct all construction and operation ... in strict compliance with the applicable authorizing document(s), including permit(s) to install ..." During the September 2, 2008, inspection the owner/operator indicated that the overfill conditions in Phase 2 had been corrected. However, Ohio EPA has not received any supporting documentation from the owner/operator of the Facility indicating that the overfill condition has been corrected.

In an annual report correspondence letter dated July 25, 2008, from Ohio EPA to the owner/operator of the Facility, the owner/operator was cited in violation of OAC Rule 3745-30-14(B)(2) for failing to conduct all operations in accordance with the Facility's permit to install number 03-9614, by placing waste above the approved limits. Ohio EPA reviewed "Drawing No. 3 of 3" of the 2008 Annual Report submittal, received on March 31, 2009, to verify that the vertical overfill condition on the center plateau area of Phase 2 has been corrected. According to the 2008 Annual Report, the vertical overfill condition on the center plateau area of Phase 2 has been corrected and the owner/operator of the Facility is no longer in violation of OAC Rule 3745-30-14(B)(2) for failing to conduct all operations in accordance with the Facility's permit to install number 03-9614, by placing waste above the approved limits at this specific location. **Please be advised that the owner/operator of the Facility indicated an additional overfill condition at the western slope of Phase 2 during the inspection on June 17, 2009. Similarly, "Drawing No. 3 of 3" of the 2008 Annual Report shows an overfill at the western slope of Phase 2.** This overfill condition will be fully discussed and documented at a later time in the annual report correspondence from Ohio EPA to the owner/operator of the Facility.

During the March 24, 2009, inspection erosion was noted on the Phase 2, Stage 5A floor. The erosion has been corrected and verified by Ohio EPA during this inspection.

The Facility suffered erosion to the south portion of their containment berm in Stage 5A, Phase 2 of the Facility. The erosion occurred outside the certified limits of liner construction. The material is there to frost protect the recompacted soil liner (RSL) and added geological material (AGM). Inadequate frost protection can change tie-in points for future construction. Furthermore, the berm appears to buttress the interim slope, which helps keep the slope from sliding out and into uncertified limits.

In accordance with OAC Rule 3745-30-14(J)(1), "The owner or operator shall ensure that surface water at a residual solid waste landfill facility is diverted from areas where residual solid waste is being, or has been, deposited. The owner or operator shall ensure that a residual solid waste landfill facility is designed, constructed, maintained, and provided with surface water control structures that control run-on and runoff of surface water. These surface water control structures shall ensure minimal erosion ..." In accordance with OAC Rule 3745-30-14(J)(2), "If ponding or erosion occurs on areas of the residual solid waste landfill facility where residual solid waste is being, or has been, deposited, the owner or operator shall undertake actions as necessary to correct the conditions causing the ponding or erosion." **The owner/operator of the Facility is in violation of OAC Rule 3745-30-14(J)(1) and (2) for failing to have adequate surface water control structures that ensure minimal erosion and for failing to undertake actions to correct the conditions causing the erosion.**

Please respond within 14 days of the date of this letter with corrective actions and/or planned corrective actions in response to the cited violations above.

This correspondence addresses specific observations only for the areas of the Lafarge Corporation Class III residual waste 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 Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the owner/operator of Lafarge Corporation Landfill from their obligation to comply with other applicable state and federal laws and regulations.

Please contact me at (419)373-3079 if you have any questions concerning this inspection.

Sincerely,

Jeremy Scoles, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/cs
pc: Paulding County, Lafarge Corporation, Inspections
Paulding County, Lafarge Corporation, Annual Report Correspondence
ec: Rick Mazur, Mike Reiser, Andy Drumm, Habib Kaake