



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

August 19, 2008

**RE: GUERNSEY COUNTY  
FAC - SW LAND CO. C&DD LANDFILL**

William A. Nicolozakes  
S.W. Land Company  
8555 Georgetown Road  
Cambridge, OH 43275

**Subject: Notice of Violation**

Dear Mr. Nicolozakes:

On August 13, 2008, I conducted an inspection at the closed SW Land Company Construction & Demolition Debris Facility located in Guernsey County. At the time of my visit, no one was at the facility. Conditions were warm and sunny. Following is a summary of the facility and my findings.

On November 29, 2006, SW Land Company submitted a notice to Ohio EPA indicating the owner's decision to voluntarily cease operation and close the C&DD Facility. Closure activities commenced in 2007 and Ohio EPA received the Construction Documentation Report for the Standard Cap System on November 13, 2007. The Report was prepared by Bowser-Morner on behalf of SW Land Company. Upon review of the Report, deficiencies were noted related to submitted plan drawings.

Pursuant to the deficiencies, on April 9, 2008, Ohio EPA received additional information from Bowser-Morner including a topographical survey map for the closure of the landfill. The survey map compared the approved top-of-waste grades with the as-built recompacted soil barrier layer sub-grade. Upon review of the survey map, it appeared as though the landfill has been filled with waste significantly above the approved top-of-waste grades. This overfill is in violation of Ohio Administrative Code (OAC) rule 3745-400-11(B)(1) which requires the owner or operator to conduct all operations at the facility in strict compliance with the license, any orders, and other authorizing documents issued in accordance with Chapter 3714 of the Ohio Revised Code. The license application identified limits of construction and demolition debris placement (areal and vertical) and this overfill exceeds the approved limits. My field visit confirmed that no additional activities have occurred at the site since the closure.

If you have any questions concerning this letter, please contact me at (740) 380-5439.

Sincerely,

P. Joe Holland, R.S.  
Environmental Specialist  
Division of Solid and Infectious Waste Management  
Southeast District Office, Ohio EPA

PJH/jg

cc: Patrick Loper, Bowser-Morner