



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

November 8, 2010

**RE: JEFERSON COUNTY
FAC- APEX LANDFILL
~~EXP~~ COMP**

Mr. Richard Barr
Apex Sanitary Landfill
P.O. Box 157
Amsterdam, Ohio 43903

RE: November 5, 2010 Facility Inspection

Dear Mr. Barr:

On November 5, 2010, I was accompanied by site engineer Scott Lockhart on an inspection of the Apex Sanitary Landfill. At the time of my inspection, I conducted a review of all daily reports, walked all active and inactive portions of the facility and all mechanical systems. At the time of my inspection, the following violation of the Ohio Administrative Code (OAC) was observed:

- 1) OAC 3745-27-19 (G) requires that a minimum of 12 inches of soil be applied to all exposed waste where no more waste is to be deposited for 30 days. At the time of my inspection, I observed several areas of exposed waste at the north end of the western 3:1 vertical expansion area. It was noted during my October 14, 2010 inspection that this area was not fully covered. At that time, the facility indicated to me that operations had only ceased in that area that morning. This area should have received intermediate cover which covered all exposed waste. Since this was not completed in accordance with the aforementioned regulation Apex Sanitary Landfill is in violation of the following OAC Rule:

(G) Intermediate cover.

(1) 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. The director may approve the use of some alternate time period, if the owner or operator can demonstrate to the satisfaction of the director that, by use of the alternate time period, infiltration will not be increased.

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(2) Intermediate cover material shall be nonputrescible and have low permeability to water, good compactability, cohesiveness, and relatively uniform texture, and shall not contain large objects in such quantities as may interfere with its application and intended purpose. A soil layer, a minimum of twelve inches thick, consisting of well-compacted loam, silt loam, clay loam, silty clay loam, silty clay or some combination thereof, shall be used. The owner or operator may use other materials or thicknesses for intermediate cover if the owner or operator can demonstrate the satisfaction of the director that the proposed intermediate cover material or thickness provides comparable and adequate protection.

Please respond in writing within the next 15 days explaining the steps taken to correct this violation and the actions that will be taken in the future to prevent such a violation from occurring in the future. If you have any questions please feel free to contact me at (740) 380-5435.

Sincerely,



Dale W. Warner, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management
Southeast District Office, Ohio EPA

DWW/cb

cc: Jefferson County Health Department