



State of Ohio Environmental Protection Agency

Southeast District Office

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

August 18, 2008

**RE: JEFFERSON COUNTY
FAC-APEX SANITARY LANDFILL
COM**

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

Dear Mr. Barr:

As you are aware, Ohio EPA has been conducting an investigation with the Jefferson County Health Department regarding the acceptance of drummed liquid waste at Apex Sanitary landfill. The acceptance of drummed liquid waste was observed by Craig Walkenspaw of the Ohio EPA Southeast District Office on June 11, 2008. This incident and associated violations were documented in correspondence from me dated July 17, 2008.

A review of Apex records indicates that bulk containerized liquids were also accepted by the facility on April 18, 2008. One manifest that accompanied a load received from Rapid Waste Disposal, Inc indicates the presence of one drum of containerized liquid. Based on this information, Apex Landfill is in violation of the following rules for the receipt of this load of waste on April 18, 2008:

OAC Rule 3745-27-19(B)(2)- The owner or operator shall conduct all construction and operation at a sanitary landfill facility in strict compliance with the applicable authorizing document, including the permit to install (PTI).

Apex Sanitary Landfill failed to follow the steps outlined in the approved PCB Hazardous Waste Prevention and Detection Program outlined in the approved PTI. Section 1 (b) of the approved program identifies liquid waste as one of the prohibited waste streams that the program is intended to identify.

OAC Rule 3745-27-19(E)(5)- Personnel. The owner or operator shall ensure that any individual meeting the definition of operator specified in rule 3745-27-01 of the Administrative Code shall be thoroughly familiar with the proper operational procedures, license, permits, and other authorizations pertaining to the facility.

Based on interviews of Apex employees, it is apparent that the employees directly involved with the receipt and disposal of the drummed liquid waste loads on April 18 were not properly trained to screen for and properly respond to prohibited materials.

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OAC Rule 3745-27-19(E)(8)- Disposal restrictions- The owner or operator shall not accept for disposal or dispose of any of the following materials at a sanitary landfill facility:

(b) Containerized bulk liquids or non-containerized liquids without authorization from the director.

A Manifest that accompanied the waste from Rapid Waste on April 18 clearly indicates the presence of containerized liquids.

Please respond to this letter within fifteen (15) days detailing the actions taken to abate the above noted violations. Please contact me at 740/380-5219 if you have any questions regarding this inspection.

Sincerely,



Peter C. Thompson
Division of Solid & Infectious Waste Management

PCT/jg

cc: Marc Maragos, JCHD