



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

December 3, 2009

**RE: NOBLE COUNTY  
FAC- CROCK C&DD**

Mr. Ed Crock  
Crock C&DD Landfill  
17990 State Route 78  
Caldwell, Ohio 43724

Dear Mr. Crock:

On November 18, 2009, I conducted an inspection of the Crock C&D Landfill. I was accompanied by Mark Mansfield of the Ohio EPA Southeast District Office during this inspection.

The facility was closed during this inspection. There were no personnel onsite during this visit. The gate was locked with a "Closed" sign at the entrance. A large portion of the area of waste placement was not adequately covered with soil for fire protection.

The following violations were observed:

**OAC Rule 3745-400-11(B)(1)**- The owner or operator shall 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 Revised Code.

The facility is filled above the currently approved vertical limits of waste placement. This is documented in the survey provided by your engineer, Jamie Hendershot dated September 30, 2009.

Special terms and conditions were included in the 2007 License issued to the Crock C&D Landfill by the Noble County Health Department. The Crock facility is in violation of the following special terms and conditions of the 2007 license:

1. Within 60 days of issuance of this license, licensee shall submit to the Noble County Health Department and Ohio EPA a topographic survey report depicting existing contours and authorized vertical and horizontal limits of waste placement (Condition #1).

Based on information previously provided by you, it appears your facility is overfilled. The information required by Special Condition #1 was due to be delivered to Ohio EPA no later than February 28, 2007.

5. Within 60 days of issuance of this license, licensee shall submit a written report to the Noble County Health Department and Ohio EPA detailing actions taken to achieve compliance with conditions 1, 2, 3, and 4 above.

All required activities in Condition #5 were to be completed no later than February 28, 2007. A report was to be submitted to the Noble County Health Department and Ohio EPA.

**OAC Rule 3745-400-11(H)** - Fire prevention. The owner or operator shall operate the facility in a manner that prevents fires by doing one of the following:

- (1) Covering all disposed combustible debris on a weekly basis with soil, clean hard fill, or other material which is noncombustible. For the purpose of this rule, covering means to apply noncombustible material in a manner such that combustible debris is not visible.

As stated above, a large portion of the area of waste placement does not have soil cover. Please take immediate steps to cover all waste in the facility.

**OAC Rule 3745-27-13-(A)** - No person shall, without authorization from the director, engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility or solid waste facility was operated. Any person proposing to engage in these activities on land where a hazardous waste facility or solid waste facility was operated shall comply with the requirements of this rule.

As documented in the September 30, 2009, survey submitted on your behalf by Jamie Hendershot, a significant portion of the solid waste cap that covers the Flood Debris Unit has been disturbed and is now covered by C&DD waste.

In addition to the above cited OAC Rules, you are in violation of certain sections of Director's Orders issued to Crock Construction on October 29, 1999. Specifically:

**Section V. 3. b.** - Respondent shall perform the work described in Attachment A in conformance with the specifications and schedules contained therein.

Violations of Attachment A include the following:

**Section II. A.** - Upon completion of the Cap System, except as otherwise provided in these Orders, the Flood Debris Disposal Unit shall not be disturbed without prior approval of Ohio EPA in accordance with ORC Section 3734.02(H) and OAC Rule 3745-27-13.

A significant amount of C&DD waste has been placed over portions of the Cap System in the Flood Debris Disposal Unit in violation of this Section. This waste must be removed for proper disposal.

**Section II. E.** - Within 180 days of the effective date of these Orders, Respondent shall execute and fund a post closure care financial assurance instrument meeting the requirements of OAC Rules 3745-27-16 and 3745-27-17. The post closure care financial assurance instrument shall contain an itemized written estimate, in current dollars, of the cost of post closure care of the Flood Debris Disposal Unit for a period of no less than 30 years. The estimate shall be based on a third party conducting the post-closure care

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activities. The post closure care financial assurance instrument shall, at a minimum, be reviewed and adjusted annually in accordance with OAC Rule 3745-27-16(D).

To date, Ohio EPA has not received any documentation that a proper post-closure care financial assurance instrument has been executed.

Within 15 days, please submit to Ohio EPA a response detailing your intentions and actions taken to abate the above-cited violations. Please feel free to contact me at 740/380-5219 if you have any questions regarding the above referenced inspection of the Crock C&DD facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter C. Thompson", written over the typed name.

Peter C. Thompson  
Division of Solid and Infectious Waste Management

PCT/jg

cc: Jim Warren, Noble County Health Department