



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

January 16, 2009

**RE: TUSCARAWAS COUNTY
FAC-KIMBLE SANITARY LANDFILL
COM**

Mr. Keith Kimble
Kimble Clay & Limestone Co.
3596 State Route 39 NW
Dover, Ohio 44622

Subject: Inspections of December 30, 2008

Dear Mr. Kimble:

On December 30, 2008, I conducted an inspection of the Kimble Sanitary Landfill (KSL). This inspection was conducted to determine compliance with Ohio Administrative Code (OAC) Chapter 3745-27 and Ohio Revised Code Chapter 3734. We were accompanied during our inspection by Mark Tondra of KSL. At the time of our inspections, violations of Ohio Administrative Code (OAC) 3745-27 were observed.

Please find the specific violations listed below:

VIOLATIONS

1. OAC 3745-27-19 states in part "If leachate outbreak(s) occurs at the sanitary landfill facility, the owner or operator shall repair outbreak(s) and do the following:
 - (a) Contain and properly manage the leachate at the sanitary landfill facility.
 - (b) If necessary, collect and dispose of the leachate in accordance with paragraphs (K) (5) and (K) (6) of this rule.
 - (c) Take action to minimize, control, or eliminate the conditions which contribute to the production of leachate.

At the time of inspection on December 30, 2008, leachate outbreaks were observed on the Northern slope. Leachate was observed to be running in an uncontrolled manner. These leachate outbreaks must be repaired and all soil that has been contaminated with leachate in the surface water control structures must be removed and disposed of within the waste limits.

TUSCARAWAS COUNTY
FAC-KIMBLE SANITARY LANDFILL
JANUARY 16, 2009
PAGE 2

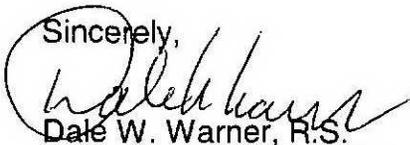
Because KSL failed to properly manage its leachate outbreaks by properly containing and repairing the outbreaks, KSL is in violation of OAC 3745-27-19 (K)(1)(a) for failure to properly manage leachate. KSL is further in violation of OAC 3745-27-19(K)(1)(c) for failure to properly control and eliminate the condition that contributed to the leachate outbreaks.

2. OAC 3745-27-19(F) requires that all solid waste be covered by a minimum of six inches of soil or an approved alternative daily cover approved by the director.

At the time of my inspection, tarps were being utilized for daily cover. However, the tarps were not fully covering the waste. All tarps utilized for daily cover must be in good condition and be fully covering the waste. This was not the case at the time of our inspection. The aforementioned issue has resulted in a violation of OAC Rule 3745-27-19(F).

Please respond within 15 days outlining the actions that have been taken to correct the violations. If you have any questions, please free to contact me at (740) 380-5435.

Sincerely,



Dale W. Warner, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

DWW/jg

cc: Tuscarawas County Health Department