



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director



January 13, 2012

**RE: NOTICE OF VIOLATION
COMPREHENSIVE INSPECTION
3RD QUARTER 2011
ELKRUN INDUSTRIES C&DD LANDFILL**

CERTIFIED MAIL

Mr. Raymond R. Crawford
Elkrun Industries, Inc.
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Rogers, Ohio 44455

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Caroline Crawford
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Dear Property Owners of the Elkrun Industries, Inc. C&DD Landfill:

On September 27, 2011, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a comprehensive inspection of the Elkrun Industries, Inc. C&DD Landfill (Elkrun), located at 9676 State Route 7 in Elkrun Township, Columbiana County. I was accompanied by Steve Sinsely, representing the facility owner/operator during the inspection.

The purpose of the 3rd quarter 2011 inspection of the facility was to determine compliance with Ohio Revised Code (ORC) Chapters 3714. and 3734., and Ohio Administrative Code (OAC) Chapters 3745-400 and 3745-27.

The following violation was observed during the 3rd quarter 2011 inspection:

1. **Leachate.** During this inspection, several leachate outbreaks were observed on the eastern side slope of the facility. Leachate was observed running through a ditch at the toe of the sideslope to a point where it pooled up and could be pumped to the leachate tank.



Leachate outbreaks



Leachate outbreaks

Elkrun is in violation because it failed to repair the leachate outbreaks in accordance with applicable regulations. Failure to repair the leachate outbreaks in accordance with applicable regulations has resulted in a violation of the following:

- a. **OAC Rule 3745-400-11(O)(3)**: *"If there is an outbreak of leachate at the surface, the owner or operator shall do all of the following...Repair the outbreak."*

In order to return to compliance with this rule, the owner(s) or operator must immediately repair all leachate outbreaks at the facility. The owner(s) or operator must also collect and properly dispose of the leachate that runs to the surface through these outbreaks.

In addition to the above violation, the following observations were made during this inspection:

1. A very small volume of prohibited solid waste was observed disposed in the working face during the inspection. The prohibited solid waste was removed during the inspection, and the volume of solid waste removed did not exceed the regulatory limit established by statute to determine when a violation exists.
2. The sedimentation pond behind the office building is beginning to fill up with sediment. In order to stay in compliance with all applicable rules, it may be necessary to dredge the pond in order to ensure that it has sufficient capacity to function properly.

Mr. Raymond R. Crawford
Elkrun Industries, Inc.
Caroline Crawford
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The owner(s) and operator of Elkrun Industries, Inc. need to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Elkrun Industries, Inc. is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to jerry.weber@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3714. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Elkrun Industries, Inc. is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please feel free to contact me at (330) 963-1274, or e-mail me at "jerry.weber@epa.state.oh.us."

Sincerely,



Jerry W. Weber, R. S.
Environmental Specialist
Division of Materials and Waste Management

JWW:cl

cc: Mary Beth Jackson, Elkrun Industries, Inc. **Certified Mail 7011 0470 0002 3496 0675**
File: [Sowers/CONS/Elkrun Industries/COR/15]

ec: John Hujar, DMWM-NEDO
Joe Trocchio, DSW-NEDO
Lori Barnes, Columbiana County Health Department

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