

Environmental
Protection Agency

Commissioner, Governor
Deputy Commissioner, Lt. Governor
District Office, Director

December 22, 2011

RE: COMPREHENSIVE INSPECTION
DISPOSE ALL LANDFILL
COLUMBIANA COUNTY

Jim Pusateri
Dispose All Refuse, Inc.
P.O. Box 2136
East Liverpool, Ohio 43920

Dear Mr. Pusateri:

On November 1, 2011, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a comprehensive inspection of the closed Dispose All Landfill (Dispose All), located on Dormont Drive in Madison Township, Columbiana County, Ohio. The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) Chapter 3734, and Ohio Administrative Code (OAC) Chapter 3745-27, with regard to municipal solid waste landfills. No one representing the facility owner or operator was present during this inspection.

No violations were observed during this inspection. The following observations were made during this inspection:

1. Vegetation on the landfill was dense. No damage to the landfill cap was observed.
2. Horses were not grazing on the landfill during this inspection.

The following violation continues to be documented for the facility:

1. **Order Number 1 of Director's Final Findings & Orders (DFF&Os) dated July 16, 2002**, which states, "*Respondent (Dispose All) shall achieve compliance with ORC Chapter 3734, and the regulations promulgated thereunder according to the following compliance schedule...Within 30 (thirty) days after the effective date of these Orders, Respondent shall submit an Explosive Gas Monitoring Plan that complies with OAC Rule 3745-27-12.*"

Dispose All is in violation of this rule. Dispose All submitted an Explosive Gas Monitoring Plan within 30 days after July 16, 2002, the effective date of these Orders, however, the plan did not comply with OAC Rule 3745-27-12. Ohio EPA issued a Notice of Deficiency (NOD) detailing deficiencies found in the plan submitted on February 19, 2004. The NOD required deficiencies of the plan to be addressed within 30 days. Dispose All responded to the NOD in a submittal dated November 28, 2007. A Notice of Deficiency was issued to Dispose All on November 2, 2009. Ohio EPA received Dispose All's response to this NOD on January 13, 2010. This response is currently on schedule to be reviewed.

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Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator of Dispose All, or others, from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1274 or preferably, 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: File: [Sowers/LAND/Dispose All/COR/15]

ec: Lori Barnes, Columbiana County General Health District