

**Environmental
Protection Agency**

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

November 4, 2011

**RE: PORTAGE LANDFILL &
DEVELOPMENT COMPANY
NOTICE OF VIOLATION**

CERTIFIED MAIL

Waldo Sober
2908 Tallmadge Road
Ravenna, OH 44266

7011 0470 0002 3496 0248

Portage Landfill & Development Co.
2908 Tallmadge Road
Ravenna, OH 44266

7011 0470 0002 3496 0255

Dear Mr. Sober:

On November 1, 2011, Kris Coder and I (Jarnal Singh) of the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM) visited the Portage Landfill & Development Co. (Portage Landfill) located at 2898 Tallmadge Road, in Portage County, Ohio. The purpose for our visit was to observe an area located on the east side of the solid waste landfill (south of the demolition debris landfill) on which an estimated 80 to 100, old 55 gallon drums were stored. Most of the drums appeared to be empty and were stored inside two large corrugated steel culvert pipes in the wooded section of that property. Most drums were without bungs and many were in a rusted/corroded state. Additional 55 gallon drums and other solid waste items, such as corrugated plastic trays, scrap tires, plastic and cast iron piping, scrap lumber and metal, etc. were also observed deeper in the woods within that vicinity. Some drums were observed partially buried within the wooded area (see attached pictures).

The above identified drums along with other solid waste items which are disposed of or buried within this wooded area are considered to be open dumped. You are therefore in violation of the following:

- 1) **Ohio Revised Code (ORC) Section 3734.03** which states in part, "*No person shall dispose of solid wastes by open burning or open dumping,*" and
- 2) **OAC 3745-27-05(C)** which states "*No person shall conduct, permit or allow open dumping.*"

The above items must be removed and properly disposed of at a permitted and licensed disposal facility. Drum contents must be properly characterized and disposed of accordingly. All waste disposal receipts must be kept for inspection by Ohio EPA and the Portage County Health Department.

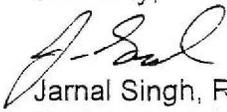
Please provide a written response, within seven days of your receipt of this letter, indicating what actions will be taken to address the above cited violations. Ohio EPA must be notified prior to removal of any drums from the site. Failure to comply with the above requirements may result in enforcement action being taken against you by this Agency.

Waldo Sober and
Portage Landfill & Development Co.
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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 Entity 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 for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions concerning this notice of violation, or wish to meet to discuss this property, please contact me at (330) 963-1276.

Sincerely,



Jarnal Singh, R.S.
Environmental Specialist
Division of Materials and Waste Management

JS:cl

Picture Attachments

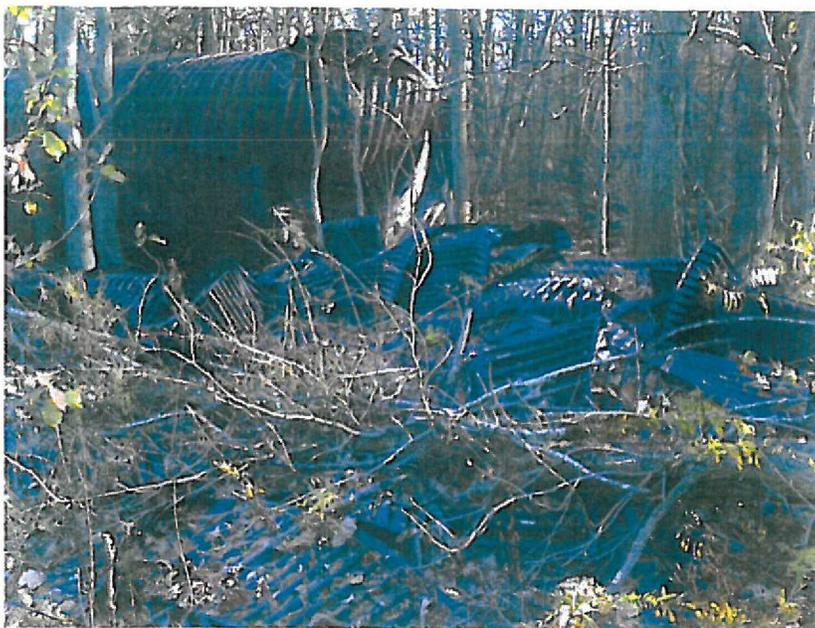
cc: Harry Smail, DMWM-CO
Janine Maney, Legal-CO
DuWayne Porter, Commissioner, Portage County Health Department
File: [Sowers/LAND/Portage LF/COR/67]



55 gallon drums stored in culvert pipe



55 gallon drums stored in culvert pipe



Solid waste dumped on ground



Partially buried drum in wooded area



Solid waste and scrap tires dumped in wooded area



Partially buried drums in wooded area