



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Inspection Results, Notice of Violation
Henry County Landfill

September 19, 2008

Henry County Board of Commissioners
1853 Oakwood Avenue
Napoleon, Ohio 43545

Dear Board of Commissioners:

On September 10, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted an inspection of the Henry County Landfill. This inspection was conducted in accordance with Ohio Administrative Code (OAC) Rule 3745-37-08(C)(6). The purpose of the inspection was to verify compliance with OAC Chapter 3745-27 and the approved Permit to Install No. 03-11037 (PTI). The facility was represented by Lynn Hoops during the daily log portion of the inspection and Brad Young during parts of the facility portion of the inspection.

This letter is intended to:

- Describe my observations of the facility,
- Notify the owner/operator of the violations of the rules identified,
- Detail the actions the owner/operator must take to correct the violations, and
- Discuss other recommendations and comments that Ohio EPA believes may help improve operations at the facility.

Description of Ohio EPA's observations of the facility:

The weather at the time of the inspection was sunny and mild.

The required daily logs for August 1 through September 9, 2008, were reviewed. The daily logs included the records of the weights of waste received (Form 2), the daily facility inspection checklist (Form 3), and the weekly surface water structure inspection documentation (Form 4). The daily facility inspection checklist and weekly surface water structure inspection forms are being used to document work on surface water structures, repair and other work at the site, e.g. shredding of tires at the scrap tire recovery facility. Please use the daily inspection forms to document problems noted, such as erosion, ponding, or leachate outbreaks, and actions taken to correct the problems.

Disposal activities are occurring in Phase 10A. The working face was located on the north side of Phase 10A at the top of the phase.

Daily and intermediate coverage was well applied in the western most section of Phase 10A. The east slope of Phase 9B and the north slope of Phase 10A both had some flagging waste. The cover on Phase 9A appeared to be adequate with no flagging waste.

Minor erosion was observed on the upper north side, before the horseshoe area. Mr. Imbrock stated in the previous month, work would be done in late summer using a contracted landscaping company.

Leachate outbreaks were also noted on the western portion of the north slope of Phase 9B. These outbreaks did not appear to be leaching down the slopes, but appeared to be damp spots. The leachate outbreaks were not noted on Daily Log of Operations.

Very little blown litter was noted in the areas of the facility observed. One litter picker was observed during the inspection. Please ensure that the owner/operator continues to employ all reasonable measures to collect, properly contain, and dispose of scattered litter.

Notification of violations of Ohio laws and rules:

One violation was identified during the inspection.

1. The owner/operator is in violation of OAC Rule 3745-27-19(E)(11)(a), which states in pertinent part:

"The owner or operator shall inspect the sanitary landfill facility at least daily for ponding, erosion, and leachate outbreaks. Written results of the inspections, including a discussion of any corrective actions taken, the date, and weather conditions, shall be recorded on the daily log forms required pursuant to paragraph (E)(10) of this rule and shall be made available to the health commissioner or the director upon request."

for failure to note leachate outbreaks on the Daily Log of Operations.

Actions the owner/operator must take to correct the violations:

- Please ensure to note all leachate outbreaks, erosion and ponding on the Daily Log of Operations. Note any corrective measures and other activities that may impact the landfill.

Recommendations and other comments:

Ohio EPA has no comments or recommendations that have not already been addressed.

This correspondence addresses specific observations only for the areas of the Henry County Landfill that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the facility at the time of inspection.

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Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the owner/operator of the Henry County Landfill from their obligations to comply with other applicable state and federal laws and regulations.

If you have any questions, please contact me at (419) 373-3043.

Sincerely,



Susan Hardy, S.I.T.
Environmental Specialist
Division of Solid and Infectious Waste Management

/lb

pc: Mike Imbrock, Henry County Landfill
~~File: Henry County, Henry County Landfill, Inspections~~

ec: Ned O'Loughlin, DSIWM, NWDO
Mike Reiser, DSIWM, NWDO