



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Henry County Landfill, Henry County
Inspection

March 21, 2008

Henry County Commissioners
1853 Oakwood Avenue
Napoleon, Ohio 43545

Dear Commissioners:

On March 12, 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 Ms. Lynn Hoops during the daily log portion of the inspections. Mr. Ned O'Loughlin and Mr. Brent Goetz of Ohio EPA were also present during the inspection. The findings of the inspection were discussed with Mr. Mike Imbrock upon completion.

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 with a light west wind. Recent warming temperatures had melted the snow cover from the facility.

The required daily logs for January 2 through March 11, 2008, were reviewed. The daily logs included the annual cover sheet (Form 1), 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 also being used to document work on surface water structures, repair of leachate outbreaks and erosion, use of approved alternate daily cover materials, and other work at the site, e.g. shredding of tires at the scrap tire recovery facility. Significant progress in the use of these forms was evident. Use of these forms in this manner enables Ohio EPA to evaluate the owner/operator's management of the site between inspections.

Please continue to use the daily inspection forms to document problems noted, such as erosion, ponding, or leachate outbreaks, and actions taken to correct the problems.

The PCB/hazardous waste prevention and detection program inspection logs were also reviewed.

Disposal activities are occurring in Phase 10A. The working face was located on the northern edge of Phase 10A. It consisted of a relatively flat area at the top of a very steep slope with another steep slope rising above the working face on its south side. See Photo 1, attached. Although the working face was relatively well-confined and was protected from the wind, Ohio EPA has concerns about the steepness of the slopes on either side of the working face. Such steep slopes of waste could conceivably fail under the stresses of equipment operating upon them, possibly injuring workers and damaging equipment. In addition, it is nearly impossible to apply daily cover as required by OAC Rule 3745-27-19(F) to steep slopes. Exposed waste was evident on the face of the steep slope south of the working face.

Very little flagging waste was observed in the intermediate cover on the east side of Phase 9B and the south side of Phase 9A and the lower portion of the south slope of Phase 10A. However, a significant amount of exposed waste was observed in an area near the top of the south slope of Phase 10A. See Photo 2, attached. The equipment operator on duty at the time of the inspection stated that the area had been used for waste disposal activities the week before the inspection and that melting of snow had exposed the waste earlier in the week of the inspection. Adequate daily cover should have been applied to the waste in the area by the end of the working day on which it was disposed and the cover soils should have been maintained so that at least six inches of soil remained over the waste. Soil was added to the daily cover north of this area, on the top of the Phase 10A "hill," during the inspection. Mr. Imbrock stated that soil would be added to the exposed area as soon as possible.

Very little erosion was observed throughout the facility. Repair of erosion was documented in the daily logs on several occasions. The results of this repair work were evident upon inspection of the facility.

Several small leachate outbreaks were observed on the south slope of Phases 10A, east of the area of exposed waste described above. Mr. Imbrock stated that the outbreaks would be repaired as soon as possible.

No blown litter was noted in the areas of the facility observed. One litter picker was observed during the inspection. A litter fence was observed north of the unloading area at the east edge of Phase 10A. 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(F), which states in pertinent part:

Daily cover shall be applied to all exposed solid waste by the end of the working day. In no event shall solid waste be exposed for more than twenty-four hours after unloading. . . .

- (1) *For units of a sanitary landfill facility having a leachate management system, a soil layer, a minimum of six inches thick, shall be applied and maintained. . . .*
- (3) *Alternative daily cover. . . . The director may approve . . . alternative materials . . . for daily cover . . .*

for:

- 1A. failing to cover the exposed waste in the steep slope on the north side of the working face, and
- 1B. failing to cover and/or maintain soil cover on the exposed waste at the top of the south slope of Phase 10A as described in detail above.

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

- Ensure that each day's working face is covered by the end of each working day and that the daily cover is maintained such that all disposed waste remains covered by at least six inches of soil or by an approved alternate daily cover.
- Within 30 days, send a written reply to my attention at the letterhead address that details how the owner/operator will correct/has corrected the violation.

Recommendations and other comments:

- A. There are steps that the owner/operator can take that will make compliance with the daily cover requirements easier, such as:

- Refraining from constructing slopes steeper than 4H:1V.

Steep slopes make placement and maintenance of daily cover very difficult. Many facilities place a lift of waste over the entire phase before starting the second lift on top of the first. In filling the next phase at the Henry County Landfill, for example, trucks could be routed to the south-east corner of the new phase to unload. The front end loader would push the waste out from that point, to cover the shredded scrap tire drainage layer, working first to the west and then uniformly south to north, applying daily cover over each day's waste. The daily cover would be graded to prevent ponding and shed surface water to the north. The second and subsequent lifts would again start in the southwest corner and move to the north. The unloading area would move more to the center of the eastern boundary of the phase for the second and subsequent lifts. Installation of a rock turn around area for hauling vehicle access would probably be necessary as disposal activities moved onto the third and subsequent lifts.

- Obtaining soil during the work day and staging it in close proximity to the working face so that soil does not have to be hauled at the end of the work day for cover.

- o Obtaining approval for and using an alternate daily cover (ADC).

Many facilities use tarps, spray-on covers, foundry sand, or other non-soil materials for cover. These materials allow the facility to cover their waste as required while conserving air space and, in many cases, reducing the amount of time required for covering.

- o Reducing the area requiring cover by scraping waste tracked between the unloading area and the working face into the day's working face rather than allowing it to remain where tracked.

- B. Ensure that the facility's management of daily and intermediate cover soils complies with OAC Rule 3745-27-19(F)(1), which states in pertinent part:

Daily cover applied in an area served by a leachate collection system shall be removed or otherwise prepared as necessary prior to the placement of the next layer of waste in that area so as not to impede the flow of leachate to the leachate management system within the limits of waste placement.

- and OAC Rule 3745-27-19(G)(3), which states:

Prior to the placement of the next layer of waste in that area, intermediate cover in an area shall be removed or otherwise prepared as necessary so as not to impede the flow of leachate to the leachate management system within the limits of waste placement.

It is important to remove the cover soils from an area before placing the next layer of waste in the area to allow free flow of leachate to the leachate collection system. Frequently when owner/operators dig out leachate outbreak areas, they find a horizontal limiting layer of soil. As leachate moves down through the waste mass and encounters a limiting layer of soil, the liquid follows the path of least resistance – horizontally along the top of the limiting layer – until it daylights as a leachate outbreak. Proper surface preparation work will reduce the number, severity, and frequency of leachate outbreaks and the time needed for repair.

- C. Ensure that the owner/operator's waste placement activities comply with OAC Rule 3745-27-19(C)(1), which states in pertinent part:

After the installation of any of the engineered components . . . , in any phase of any unit of a sanitary landfill facility, the owner or operator shall not accept waste in the phase until . . . A construction certification report for that phase . . . has been submitted to Ohio EPA and . . . The owner or operator has received written concurrence . . .

It appears as though the landfill's remaining capacity in Phase 10A is becoming limited. Ohio EPA understands that the owner/operator intends to begin construction of Phase 10B this spring. Ensure that waste is not placed outside the approved limits of Phase 10A as space becomes increasingly tight in the phase.

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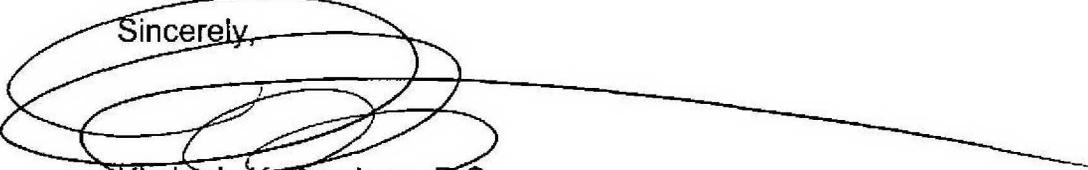
Specifically, ensure that the area where trucks unload on the east side and the disposal of waste on the north side of Phase 10A remain fully within Phase 10A and do not encroach on Phase 10B or Phase 11 before those phases are approved for waste disposal activities.

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.

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) 373-3049.

Sincerely,



Kimberly K. Burnham, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/llr

Enclosure

pc: Mike Imbrock, Henry County Landfill (w/ enclosure)
Kimberly Burnham, DSIWM, NWDO
File: Henry County, Henry County Landfill, Inspections (w/ enclosure) 1
ec: Ned O'Loughlin, DSIWM, NWDO

Photo 1



Photo 2

