



**Environmental
Protection Agency**

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

July 28, 2011

**BELMONT COUNTY
COMP – RIVER VALLEY COMPOST
NOV**

Mr. Stanley Kaldor
61280 Ray Ramsey Road
Jacobsburg, Ohio 43933

RE: Notice of Violation

Dear Mr. Kaldor:

On July 21, 2011, Ohio EPA conducted an inspection of River Valley Compost (Facility). There was no one at the Facility at the time of inspection. During my visit, I inspected the facility and daily logs that were available for viewing in the office. The following improvements have been made at the facility.

1. The operator had daily logs available at the time of inspection.
2. The operator installed a second pad which is concrete and has a back drop and netting to help capture food ejected from the grinder.

During the course of my inspection, the following violations were observed:

OAC Rule Reference	Rule
3745-27-45(C)(9) (This is in reference to the whole fruits and vegetables that are scattered throughout the facility and the lack of shredding/ grinding of the foods.)	The owner or operator who accepts biodegradable containers shall shred or otherwise process the biodegradable containers to increase the exposed surface area for composting and release the contents. [Comment: The shredding or processing requirement does not prevent the owner or operator from emptying the biodegradable containers prior to shredding or processing in accordance with this paragraph.]
3745-27-01(B)(2) (Biodegradable containers should have an ASTM standard of D6400-04 or D6868).	Biodegradable containers" means a container composed of materials, such as vegetable matter, paper, cardboard, and plastics that meet the American Society for Testing and Materials (ASTM) "Standard Specification for the Compostable Plastics" (D6400-04) (www.astm.org) and that may display the International Biodegradable Products Institute's "Compostable Logo," that will decompose or degrade at a rate equal to or faster than the material within the containers under equivalent conditions.

<p>3745-27-45(A)(5) (plastic bags that are at the facility)</p>	<p>The owner or operator shall properly manage any containers used to transport authorized materials to a composting facility that do not meet the definition of biodegradable containers as defined in rule 3745-27-01 of the Administrative Code. Such containers shall not be introduced into the composting process except at a class I composting facility where the owner or operator is mixing such containers with type J feedstocks.</p>
<p>3745-27-45(F)</p>	<p>The owner or operator who produces cured compost from any feedstock, bulking agent, or additive that possesses a pathogen shall produce the cured compost in a manner that will reduce pathogen concern shall be immediately incorporated into the windrows, in-vessel(s), or piles.</p>
<p>3745-27-45(G)(2) (Leachate accumulation on the property.)</p>	<p>Surface water management. The owner or operator of a composting facility shall control surface water runoff and run-on, prevents ponding and erosion, and minimizes the impact to surface and ground waters. For the purpose of this rule runoff includes precipitation that has fallen onto the composting facility and has not come in contact with any compost products, or solid wastes including feedstocks, bulking agents, or additives. At a minimum, the owner or operator shall do the following: Divert surface water from the materials placement areas. The land surface of the waste handling, composting, compost curing, and cured compost areas of the facility shall be greater than or equal to one per cent in slope and less than or equal to six per cent in slope so as to direct surface water to collection points or otherwise control the surface water drainage to minimize erosion. <i>[Comment: The owner or operator of a composting facility, where different feedstock types are accepted, may be subject to cross contamination as described in paragraph (I) of this rule. When applicable, the owner or operator should consider cross contamination in the design of the slope at the facility.]</i></p>
<p>3745-27-45(H)(3)(b)</p>	<p>Leachate management. The owner or operator of a class I, II, III or IV composting facility shall do the following: Take action to minimize the production of leachate and control, or eliminate, ponding of leachate and the conditions that contribute to the discharge of leachate from the facility.</p>

RIVER VALLEY COMPOST
JULY 28, 2011
PAGE 3.

I also conducted a follow-up site visit to speak with you about the above violations and the new installation of the concrete pad installed July 21, 2011. You took several temperatures during my visit. Three temperatures were taken in Windrow 5 all reading right around 125 degrees. Windrow 5 has been composting for 45 days. This is within the maximum composting range of 90 degrees and 140 degrees. The temperature should be at 131 degrees for three days in order to kill pathogens. The Facility had no odors outside the facility boundary at the time of the inspection on July 21, 2011, or July 27, 2011.

You expressed an interest in being in compliance with Ohio EPA's rules and regulations at the time of my visit. Please review the rules and guidance documentations enclosed.

If you have any questions, please contact me at (740) 380-5228.

Sincerely,



Erika Jackson, RS
Environmental Specialist II
Division of Materials and Waste Management

EJ/jg

Enclosure:

Ohio EPA Guidance Document #0496

Ohio EPA Fact Sheet "Regulations for Community and Commercial Food Scrap Composting Facilities"

Ohio EPA Class II Composting Facility Requirements #0667

OAC Rule 3745-27-40

OAC Rule 3745-27-45

OAC Rule 3745-27-46