



**Environmental
Protection Agency**

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

September 13, 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 September 7, 2011, Mark Mansfield and I conducted an inspection of River Valley Compost (Facility). During our visit, we inspected the facility and daily logs that were available for viewing in the office.

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

OAC Rule Reference	Rule
3745-27-01(B)(2) (Biodegradable containers should have an ASTM standard of D6400-04 or D6868). The plastic bags that are sent to the facility have an ASTM standard of D5510 and STSTM - D5208 which DOES NOT meet the requirements set forth in 3745-27-01(B)(2). Remove bags.	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.
3745-27-45(A)(5) (plastic bags that are at the facility) The plastic bags that are sent to the facility have an ASTM standard of D5510 and STSTM - D5208 which DOES NOT meet the requirements set forth in 3745-27-01(B)(2). Remove bags.	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.
3745-27-45(C)(1)(d)	All reasonable measures are employed to collect properly contain and dispose of scattered litter, including the use of portable wind screens and frequent inspections of the facility.

<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>
<p>3745-27-45 (A)(3) The facility was three days behind on daily logs because he ran out of forms.</p>	<p>The owner or operator of a composting facility shall have a copy of all applicable authorizing documents available for inspection by Ohio EPA or the approved health department during normal operating hours.</p>
<p>3745-27-45(J) No testing information has been submitted to this office. Operator claims he has not sold or given away any compost since my last inspection on August 18, 2011.</p>	<p>Records retention. Upon request, copies of the records specified in this paragraph shall be submitted to the approved health department or Ohio EPA. The owner or operator of a composting facility shall have the following records available for a period of no less than three years: (1) Copies of the results obtained from all testing required by rule 3745-27-46 of the Administrative Code and any other test results required by the director. (2) The daily log forms required by paragraph (K) of this rule.</p>

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As the Facility owner and operator, it is your responsibility to maintain compliance with Ohio rules and regulations. You are not to sell or give away compost until you have tested your final product as required by Ohio EPA rules and regulations. Please submit testing results to this office within 14 days of receiving this letter.

The Facility had no odors outside the facility boundary at the time of the inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Erika Jackson", written in a cursive style.

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

EJ/jg