



**Environmental  
Protection Agency**

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

March 13, 2012

**PERRY COUNTY  
FAC-TUNNELL HILL RECLAMATION  
COM- NOV RETRACTION**

Tunnel Hill Partners, LP  
Attention: Rod Deeds, General Manager  
P.O. Box 625  
New Lexington, OH 43764

**Subject: Retraction of NOV, Failure to follow Odor Management Plan**

Dear Mr. Deeds:

On March 2, 2012, Ohio EPA sent you an NOV concerning the odors detected on March 1, 2012. The letter included all the measures that have been taken to improve the odors at Tunnell Hill Landfill (Facility), and then it stated you were in violation of OAC rule 3745-27-19(B)(2) and ORC Sections 3734.11(A) and (B). Based on those measures to improve odors, Ohio EPA is retracting the paragraph on page 3 of your NOV that states:

*"Tunnell Hill Reclamation is also in continuing violation of OAC Rule 3745-27-19(B)(2) and Ohio Revised Code (ORC) Sections § 3734.11(A) and (B) for failing to implement all appropriate odor monitoring practices, best management practices and control systems in order to control odors as required by the Odor Management Plan contained in Tunnell Hill Reclamation's Permit-to-Install No. PTI No. 06-08443, approved September 1, 2011."*

The Facility remains in violation of OAC rule 3745-27-19(B)(3), as stated in the March 2, 2012 letter, *"The owner or operator shall operate the facility in such a manner that noise, dust, and odors are strictly controlled so as not to cause a nuisance or a health hazard."*

If you have any questions, I may be contacted at 740-380-5228 or the e-mail [erika.jackson@epa.ohio.gov](mailto:erika.jackson@epa.ohio.gov).

Sincerely,

Erika Jackson  
Environmental Specialist II  
Division of Materials and Waste Management

EJ/sb

cc: Carey Bowers, Perry County Health Department  
cc: Kelly Jeter, CO-DMWM