



**Environmental
Protection Agency**

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



March 24, 2011

**RE: NOTICE OF VIOLATION
PARTIAL INSPECTION
ELKRUN INDUSTRIES C&DD LANDFILL**

CERTIFIED MAIL

Mr. Raymond R. Crawford
Elkrun Industries, Inc.
9676 State Route 7
Rogers, Ohio 44455

Dear Mr. Crawford:

On March 9, 2011, I, representing the Ohio Environmental Protection Agency, conducted a partial inspection of the Elkrun Industries, Inc. C&DD Landfill (Elkrun), located at 9676 State Route 7 in Elkrun Township, Columbiana County. Weather conditions on this occasion were rainy with a temperature of approximately 45° F. I met with Mary Beth Jackson during the inspection.

The purpose of the inspection was to determine compliance with Ohio Revised Code (ORC) Section 3714., and Ohio Administrative Code (OAC) Chapter 3745-400, and specifically to determine if the facility was complying with surface water requirements. My inspection was focused to areas near the office trailer and areas both adjacent to and along State Route 7.

The following violation was observed during this inspection:

1. **Surface Water.** During this inspection, surface water heavily laden with sediment was observed running off the facility, through a culvert pipe under Route 7, and into an unnamed tributary to Turkeyfoot Run. Surface water heavily laden with sediment was also observed running uncontrolled along the sides of the access road and over the unpaved access road and into a drain that appeared to also drain underneath Route 7 and into the unnamed tributary to Turkeyfoot Run. The sediment laden surface water was then observed running south, adjacent to Route 7, and it was observed travelling through a culvert under Dutchtown School Road where it continued south in Turkeyfoot Run toward Little Beaver Creek.



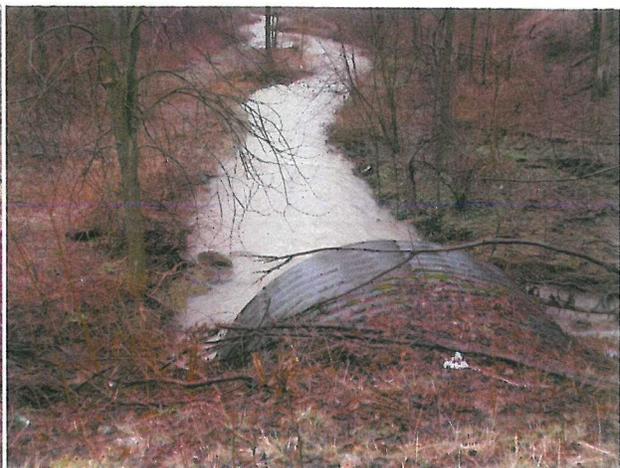
Surface water on facility entering culvert east side of Rt. 7



Surface water exiting culvert west side of Rt. 7



Surface water running into unnamed tributary west side of Rt. 7



Surface water flowing south toward Little Beaver; culvert under Dutchtown School Rd.

Elkrun is in violation because it failed to control surface water at the facility and allowed surface water heavily laden with sediment to flow into waters of the state. Failure to control surface water and allowing water pollution to occur has resulted in a violation of the following:

- a. **OAC Rule 3745-400-11(B)(16):** *"The owner or operator shall not cause water pollution."*

In order to return to compliance with this rule, the owner or operator must immediately cease causing water pollution, and comply with the facility's surface water pollution prevention plan, the facility's current operating license, and all applicable surface water laws and regulations.

Mr. Raymond R. Crawford
Elkrun Industries, Inc.
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Please provide written notification to me within 15 days of receiving this letter which documents how the violation listed above has been corrected, as well as what measures will be implemented to ensure compliance with the applicable rule in the future.

Ohio EPA's Division of Surface Water shall be documenting additional violations related to this event which will be sent to you under separate letterhead.

In addition to the above violations, it was observed that hydrogen sulfide odors existed on Route 7 adjacent to the landfill. The odors were intermittent, and further investigation will be necessary in order to determine if the landfill is the source of the odors.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator of Elkrun, or others, from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1274, or e-mail me at "jerry.weber@epa.state.oh.us."

Sincerely,



Jerry W. Weber, R. S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JWW:cl

cc: Mary Beth Jackson, Elkrun Industries, Inc. (**Certified Mail**)
Maureen Crawford (**Certified Mail**)
Darlene Figley (**Certified Mail**)
File: [Kurko/CONS/Elkrun Industries/COR/15]

ec: Joe Trocchio, DSW-NEDO
Dan Bogoevski, DSW-NEDO
Lori Barnes, Columbiana County Health Department

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Total Pos: Mr. Raymond R. Crawford
 Sent To: Elkrun Industries, Inc.
 9676 State Route 7
 Rogers, Ohio 44455

PS Form 3800, August 2006 See Reverse for Instructions

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Raymond R. Crawford
 Elkrun Industries, Inc.
 9676 State Route 7
 Rogers, Ohio 44455

2. Article Number
 (Transfer from service label) 7010 1670 0001 8461 1418 gww 3-25-11

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A. Signature
 X *Mary Beth Jackson* Agent Addressee

B. Received by (Printed Name) *Mary Beth Jackson* C. Date of Delivery *3-28-11*

D. Is delivery address different from item 1? Yes No
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Total Post: **Darlene Figley**
13425 San Rafael Dr.
Largo, Florida 33774

Sent To _____
 Street, Apt. 1 _____
 or PO Box N _____
 City, State, Z _____

PS Form 3800, August 2006 See Reverse for Instructions

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<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Darlene Figley</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) DARLENE FIGLEY C. Date of Delivery 4-8-11</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Darlene Figley 13425 San Rafael Dr. Largo, Florida 33774</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) 70101670000184611425 g.w.w. 325-11</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

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3-25-11
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Total Pk: **Mary Beth Jackson**
 Sent To: **Elkrun Industries, Inc.**
9676 State Route 7
Rogers, Ohio 44455

PS Form 3800, August 2005 See Reverse for Instructions

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

Mary Beth Jackson
Elkrun Industries, Inc.
9676 State Route 7
Rogers, Ohio 44455

COMPLETE THIS SECTION ON DELIVERY

A. Signature
**Mary Beth Jackson* Agent Addressee

B. Received by (Printed Name) *Mary Beth Jackson* C. Date of Delivery *3-28-11*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

✓

3. Service Type
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JW 3-25-11

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Total Pk: **Maureen Crawford**
36337 State Route 172
Lisbon, Ohio 44432

Sent To
 Street, Apt
 or PO Box
 City, State,

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Maureen Crawford
36337 State Route 172
Lisbon, Ohio 44432

2. Article Number
 (Transfer from service label)

7010 1670 0001 8461 1432 JW 3-25-11

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Maureen E Crawford Agent Addressee

B. Received by (Printed Name) Date of Delivery

JW 3-25-11

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
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