



**Environmental
Protection Agency**

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

Re: Notice of Violation and Inspection Results
Henry County Landfill
Henry County

April 13, 2012

Henry County Board of Commissioners
1853 Oakwood Avenue
Napoleon, Ohio 43545

Dear Board of Commissioners:

On April 2, 2012, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted an inspection of the Henry County Landfill (facility). 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 Lynn Hoops for the paperwork inspection.

Description of Ohio EPA's observations of the facility:

The weather at the time of the inspection was partly sunny and cool.

The required daily logs for February and March 2012, were reviewed. The weekly surface water structure inspection documentation (Form 4) was reviewed and was complete. Both inspection sheets had detailed descriptions of maintenance work.

The owner/operator is performing maintenance on erosion areas. Several areas have been repaired and others have been identified to be repaired. One leachate outbreak was noted on the north side of Phase 9. It appeared to have been repaired recently. Mr. Imbrock stated it was being monitored and would be repaired again.

Municipal waste was being deposited in Phase 11A. Intermediate cover was being placed on Phase 9 and 10 where waste had been placed to attain final grade.

Notification of violations of Ohio laws and rules:

Insufficient daily cover was placed on previous waste disposal areas. The area above the working face, towards the top of Phase 10, on the east side, exposed and flagging waste with a large amount of blue plastic was visible. The owner/operator is in violation of OAC Rule 3745-27-19(F), "Daily cover. Daily cover shall be applied to all exposed solid waste by the end of the working day to control fire hazards, blowing litter, odors, insects, vectors, and rodents.

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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..."

Recommendations and other comments:

Mr. Imbrock stated soil would be brought to the areas in concern immediately. Please schedule sufficient soil staging to allow adequate daily cover.

The owner/operator must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, the owner/operator is requested to provide documentation to this office including the steps that will be taken to abate the violations cited above. Documentation of steps taken to return to compliance include written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to Susan.Hardy@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, the owner/operator is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please contact me at (419) 373-3043.

Sincerely,



Susan Hardy, R.S.
Environmental Specialist
Division of Materials and Waste Management

/cg

pc: Mike Imbrock, Henry County Landfill
File: DMWM/SW, Henry County, Henry County Landfill, Inspections

ec: Abdul Smiley, DMWM, NWDO
Mike Reiser, DMWM, NWDO