

**Environmental
Protection Agency**

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

April 25, 2012

**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 April 18, 2012, Aaron Wolfe 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. We discussed the new composting rules that took effect on April 2, 2012, and your sampling requirements as a Class II compost facility. Aaron Wolfe indicated that your facility needs a storm water permit and that you would be receiving the paperwork in the mail to fill out and return to Ohio EPA.

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

Ohio Administrative Code	Rule
3745-560-215 The owner/operator is filling out the forms but is not filling in the required information. Example: No temperatures, pile identification numbers, and pile turning, etc. are being recorded.	Log of operation. The owner or operator shall Record the facility operations on the log of operation forms as specified in rule 3745-560-04 of the Administrative Code.
3745-560-225(A)(2) The owner has only taken one sample since 2010. He indicated that he is still receiving food scraps from the same facilities he was receiving from the last time he sampled back in 2011 therefore, he doesn't think he needs to sample again.	Obtain one composite sample from each pile no greater than ten thousand cubic yards.
3745-560-230(A) Only one sample has been taken since the facility has opened in 2010.	The owner or operator shall have the samples collected pursuant to rule 3745-560-225 of the Administrative Code and analyzed to demonstrate that concentration limits are not exceeded for the parameters listed in Tables 1-4.
3745-560-210 (H)(4) Plastic bags were found throughout the windrows and over the hillside. The owner stated that he leaves them in the windrows and the screener removes them before the product is sold.	Operational control. The owner or operator shall operate the composting facility in such a manner that employs reasonable measures to collect, properly contain, and dispose of scattered litter.

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Within fourteen (14) days of receipt of this letter, River Valley Compost is requested to provide documentation to this office verifying abatement of the aforementioned violations. Failure to redress listed violations and respond within this timeframe may result in escalated enforcement against River Valley Compost for violation of Chapter 3734. (or 3714.) of the Ohio Revised Code, which carries a civil penalty of up to \$10,000 per day for each violation. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted electronically to erika.jackson@epa.ohio.gov. If River Valley Compost is unable to return to compliance within the fourteen (14) day timeframe, please contact Erika Jackson with Ohio EPA Southeast District Office.

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, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

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/sb

cc: Matt Boyer, CO-DMWM