Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 3, 2012

**RE: 2011 ANNUAL REPORT
MOUNT EATON LANDFILL
NOTICE OF VIOLATION**

Mr. Joe Balog
Norton Environmental Company
6055 Rockside Woods Blvd., Suite 100
Independence, Ohio 44131

CERTIFIED MAIL 7010 3090 0000 3936 2858

Mr. Freeman Mullet
Mount Eaton Reclamation, Inc.
P. O. Box 256
Mount Eaton, OH 44659

CERTIFIED MAIL 7010 3090 0000 3936 2872

Twilight Mining
P.O. Box 220
Berlin, Ohio 44610

CERTIFIED MAIL 7010 3090 0000 3936 2865

Dear Gentlemen:

The Ohio Environmental Protection Agency (Ohio EPA) has received the 2008 Annual Post Closure Report for the Mount Eaton Landfill located at 8544 TR105 in Navarre, Ohio. This document was received at the Northeast District Office (NEDO) on March 20, 2012.

The technical aspects of the 2008 Annual Operational Report have been reviewed by Ohio EPA to determine compliance with rule 3745-27-19(M) of the Ohio Administrative Code (OAC). As a result of this review, Ohio EPA has identified the following violation and deficiency:

VIOLATION:

1. **OAC Rule 3745-27-14(A)(6)(c)** requires the annual report to contain *"The most recent updated post-closure cost estimate adjusted for inflation and for any change in the post-closure cost estimate required by rule."*

   The annual report does not contain itemized cost estimates as required by the rule. Itemized cost estimates must be submitted with the annual report.

Please address the violation and submit a revised annual report to this office within 30 days of the receipt of this letter. If you have any questions regarding this review, please do not hesitate to call me at (330) 963-1224, or e-mail me at clarissa.gereby@epa.state.oh.us.

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

Sincerely,

Clarissa Gereby
Environmental Specialist
Division of Materials and Waste Management

CG/cl

cc: Ken Eng, Wayne County Health Department
John Hujar, DMWM, NEDO
Fanny Haritos, DMWM, CO
Rich Heier, Norton Environmental
File:[Sowers/LAND/Mt.Eaton LF/ANN/85]
DMWM #4394