



**Environmental
Protection Agency**

GOVERNOR
Lt. Governor
Director

JUNE 15, 2012

CERTIFIED MAIL 91 7108 2133 3932 1839 4409

Bill Steiner, Director
Portage County Solid Waste Management District
3588 Mogadore Road
Kent, Ohio 44240

**Re: Return to Compliance
Regarding Submittal of 3rd and 4th Quarter Fee Reports of 2011**

Dear Mr. Steiner:

On February 7, 2012, Ohio EPA sent a notice of violation letter to the Portage County Solid Waste Management District (District). The purpose of the letter was to inform the District that it was found to be in violation of ORC 3734.57.5 for failing to submit the third quarter fee report of 2011 to the director of Ohio EPA by November 15, 2011.

This notice of violation included a remedy to the violation. In a phone conversation with the District's accountant/budget analysis, John Leskovyansky, on or around January 27, 2012, he informed me that the District planned to submit the third quarter report of 2011 to the Agency by March 1, 2012. Ohio EPA did not receive the third quarter fee report by this date.

In addition to not receiving the District's third quarter fee report on-time, Ohio EPA did not receive the District's fourth quarter fee report of 2011 by the required due date of February 15, 2012. Therefore, a new remedy to the submittal of the third quarter fee report of 2011 and the delinquency of the fourth quarter fee report of 2011 was addressed in a conversation between Mr. Leskovyansky and me. This conversation was memorialized in an e-mail sent by him on March 20, 2012.

In the e-mail sent March 20, 2012, Mr. Leskovyansky wrote "... our conversation of 01/17/2012 indicate the 3d quarter 2011 report target would be 03/01, but more likely the third week of March; the 4th quarter 2011 report target would be about 03/31, or by about 04/15.....".

Ohio EPA received the third quarter fee report of 2011 by e-mail on March 18, 2012 and the fourth quarter fee report of 2011 by e-mail on May 25, 2012.

Ohio EPA finds the submittal of the third quarter fee report for 2011 on March 18, 2012 as an acceptable remedy to the violation identified on February 7, 2012. Submittal of the fourth quarter fee report for 2011 on May 25, 2012 will also prevent Ohio EPA from sending a notice of violation, even though the lack of submittal by February 15, 2012 put the District in violation of ORC 3734.57.5(A).

Bill Steiner, Director
Portage County Solid Waste Management District
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Should you have any questions regarding this letter or other matters, please call me at (614) 728-5357.

Sincerely,

A handwritten signature in cursive script that reads "Channon Cohen".

Channon Cohen
Planning Unit - Environmental Specialist 2
Division of Materials and Waste Management

CC/jam

cc: Maureen Frederick, County Commissioner, Portage County