



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, Ohio 43402

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

Re: Wood County Landfill
15320 Tontogany Road
Bowling Green, OH 43402-9700
Notice of Violation (NOV) 0387020431

January 9, 2007

Certified Mail

Mr. Kenneth E. Rieman, Director
Wood County Solid Waste District
639 South Dunbridge, Suite 3
Bowling Green, Ohio 43402

Dear Mr. Rieman:

This letter shall serve as a follow-up to the inspection conducted of the facility on December 8, 2006 by the Northwest District Office (NWDO) Division of Air Pollution Control (DAPC). The goal of this inspection was to determine the facility's compliance status with DAPC rules and regulations. Based on my discussions with Mr. Ken Vollmar, my observations during the inspection, and a review of the company files at NWDO, the findings are as follows:

1. The facility applied for a Permit to Install (PTI) from the Division of Solid and Infectious Waste Management (DSIWM) and was issued PTI #03-5090 on April 2, 1991. The facility then applied to DSIWM for a modification for a vertical expansion to increase the disposal capacity by 464,000 cubic yards. PTI #03-12824 was issued on July 30, 2003 for this expansion.

When the facility obtained these PTI's from the DSIWM, it was also required to obtain the appropriate permits from the DAPC. The modification of the landfill operations, as well as the roadways, without applying for a PTI from DAPC is violation of Ohio Administrative Code (OAC) rule 3745-31-02. The facility is also in violation of OAC rule 3745-35-02 for not having submitted Permit to Operate (PTO) applications regarding the operation of the emission units.

2. The facility is required to submit the appropriate PTI and PTO applications as well as the corresponding Emissions Activity Category (EAC) forms. You may find these applications and forms on Ohio EPA's website at <http://www.epa.state.oh.us/dapc/fops/eac/eacforms.html>

Mr. Kenneth Rieman
January 9, 2007
Page Two

The two emission units (EU) at the facility are considered to be the landfill operations and the paved and unpaved roadways. It is unknown whether any generators are onsite and there may be other EU not included in this letter that may also be subject to the rules and regulations of DAPC.

3. Facilities that operate one or more EU subject to either OAC rule 3745-31 or OAC rule 3745-35 are required to pay air emissions fees based on actual annual emissions. The fee is required by OAC Chapter 3745-78 and Ohio Revised Code (ORC) 3745.11 (D) and is billed retroactively every two years. The facility is also found in violation of not having complied with this requirement.

The Non-Title V program requires facilities to pay the fee based on facility-wide estimated actual annual emissions of particulate matter, organic compounds, nitrogen oxides, and sulfur dioxides. The Non-Title V fee program is designed to encompass all permitted facilities in Ohio that do not fall under the requirements of the Title V permitting program. Since the facility has not submitted any applications prior to installing and operating the emission unit(s), it would not have been registered as a Non-Title V facility.

Please be advised that this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

The information required above is to be submitted by no later than March 9, 2007. If you have any questions, please contact me at (419) 373-3118.

Sincerely,



Mohammad Smidi
Environmental Specialist

/lb

pc: Don Waltermeyer, DAPC/NWDO
Elisa Thomas, DAPC/CO
Kimberly Burnham, DSIWM/NWDO
Lisa Holscher, US EPA Region 5
Mohammad Smidi, DAPC/NWDO
Samir Araj, DAPC/NWDO
Tom Kalman, DAPC/CO
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