



Environmental
Protection Agency

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

Re: 2010 Annual Solid Waste Operational Report
Lafarge Corporation Landfill, Paulding County
Notice of Violation

July 22, 2011

Mr. Ben Fogle
Environmental Manager
Lafarge Corporation
11435 Road 176
P. O. Box 160
Paulding, Ohio 45879

Dear Mr. Fogle:

The Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO) received the 2010 Annual Solid Waste Operational Report (Report) on March 24, 2011, for the Lafarge Corporation Residual Waste Landfill (Facility). The Report has been reviewed by the Division of Materials and Waste Management (DMWM) and the Division of Drinking and Ground Waters (DDAGW) to determine its compliance with the regulations required by Ohio Administrative Code (OAC) Rule 3745-30-14(M) and OAC Rule 3745-30-08(B)(5). The following are comments noted in the review of the Report.

1. The topographic maps provided in Section 14 correctly show the information required in OAC Rule 3745-30-14(M)(1). However, "Phase 2 Comparison 2010 Annual Operational Report," Sheet 3 of 3, indicates waste has been placed above the approved limits. Sheets 1 of 3 and 2 of 3, note 4, also states that "residual waste has been placed within the horizontal and vertical limits contained within PTI #03-9614 except as noted on Sheet 3 of 3." **The owner/operator of Lafarge Corporation is in violation of OAC Rule 3745-30-14(B)(2) for failing to conduct all operations in accordance with the Facility's permit to install (PTI) number 03-9614, by placing waste above the approved horizontal and vertical limits at the eastern slope and northern slope of Phase 2.**

Note 5 on Sheet 3 of 3 states that "waste above the vertical limits was moved in March 2011, to lined areas with available constructed airspace." In addition, during the March 21, 2011, and June 9, 2011, inspection of the Facility, Ohio EPA visually confirmed that work has been completed to relocate waste that exceeded the vertical limits. On-going work was also observed on the eastern slope of Phase 2 to relocate waste that was outside the horizontal limits. Furthermore, the owner/operator has stated that waste exceeding the horizontal limits on the northern slope of Phase 2 will be relocated to the new cell (Phase 6) once that cell is completed (estimated August 2011). Please be advised that the above violation will continue to exist until such time that an updated Isopack, or other relevant documentation, is submitted to Ohio EPA verifying that the overfill condition has been corrected.

The owner/operator of the Facility was cited in violation of OAC Rule 3745-30-14(B)(2) for "failing to conduct all operations in accordance with the Facility's permit to install number 03-9614, by placing waste above the approved limits at the eastern slope of Phase 2, near N 3200 and E 12700," in a letter dated October 7, 2010, regarding the review of the 2009 Annual Operational Report. Even though the owner/operator stated that this overflow condition was corrected, Ohio EPA never received official notification (i.e. Isopack, etc.) that the overflow condition was corrected. Therefore, that violation continues as well until appropriate documentation is received by Ohio EPA showing all overflow conditions at the Facility are corrected. The owner/operator of the Facility has been cited in violation of overflow conditions for five (5) consecutive reporting years (2006-2010). Please be advised that the owner/operator must ensure that filling operations are conducted in accordance with PTI number 03-9614. Future instances of failure to follow PTI number 03-9614 will result in escalated enforcement.

2. The post closure cost was estimated based on the cost schedule that was dated July 11, 2003 (July schedule). The July schedule did not appear to take into account the construction of the entire leachate collection system and just included the construction of a portion of the system. Ohio EPA believes that the post closure estimate should have been based on the cost schedule that was dated April 2003 (April schedule) which was also placed in the approved PTI. Please review the post closure cost to include the construction of the entire leachate collection system as proposed in the April schedule. Once this is accomplished, the PTI needs to be revised to clarify which schedule will actually apply.

Groundwater Comments

3. Compliance with OAC Rule 3745-30-14(M)(7) cannot be determined at this time. This rule requires the annual operational report to include information summarizing the previous calendar year's operation of maintenance performed on the leachate management system, ground water monitoring system, explosive gas monitoring system, and repairs to the cap from erosion, settlement/ponding, and leachate outbreaks. The owner/operator of the Facility needs to respond with a summary of maintenance performed on the ground water monitoring system during 2010.

The Annual Operational Report only mentions repairing areas of soil erosion. The owner/operator of the Facility needs to summarize maintenance performed on the ground water monitoring system.

Should DMWM's Planning Unit, Central Office, have any further comments, a separate correspondence may also follow.

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If you have any questions please feel free to contact me at (419) 373-3079.

Sincerely,



Jeremy Scoles, RS
Environmental Specialist II
Division of Materials and Waste Management

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pc: ~~File Paulding County, Lafarge Corp. Landfill Annual Report Correspondence~~
Tim Weible, Lafarge
Mike Miller, Lafarge

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